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Earl Warren Oral History Project

EARL WARREN: VIEWS AND EPISODES

Mildred Hale

*Schools, The PTA, and the State
Board of Education*

Clark Kerr

*University of California Crises:
Loyalty Oath and Free Speech Movement*

Adrian Kragen

*State and Industry Interests in
Taxation, and Observations of Earl
Warren*

Geraldine Bowers McConnell

*Governor Warren, the Knowlands, and
Columbia State Park*

Carey McWilliams

*California's Olson-Warren Era:
Migrants and Social Welfare*

Edward H. Siems

*Recollections of Masonic Brother
Earl Warren*

Interviews Conducted by
Willa K. Baum, Amelia R. Fry,
Caroline Gallacci, Catherine Harroun,
Hannah Josephson, Rosemary Levenson,
Gabrielle Morris, Ruth Teiser

PREFACE

The Earl Warren Oral History Project, a special project of the Regional Oral History Office, was inaugurated in 1969 to produce tape-recorded interviews with persons prominent in the arenas of politics, governmental administration, and criminal justice during the Warren Era in California. Focusing on the years 1925-1953, the interviews were designed not only to document the life of Chief Justice Warren but to gain new information on the social and political changes of a state in the throes of a depression, then a war, then a postwar boom.

An effort was made to document the most significant events and trends by interviews with key participants who spoke from diverse vantage points. Most were queried on the one or two topics in which they were primarily involved; a few interviewees with special continuity and breadth of experience were asked to discuss a multiplicity of subjects. While the cut-off date of the period studied was October 1953, Earl Warren's departure for the United States Supreme Court, there was no attempt to end an interview perfunctorily when the narrator's account had to go beyond that date in order to complete the topic.

The interviews have stimulated the deposit of Warreniana in the form of papers from friends, aides, and the opposition; government documents; old movie newsreels; video tapes; and photographs. This Earl Warren collection is being added to The Bancroft Library's extensive holdings on twentieth century California politics and history.

The project has been financed by four outright grants from the National Endowment for the Humanities, a one year grant from the California State Legislature through the California Heritage Preservation Commission, and by gifts from local donors which were matched by the Endowment. Contributors include the former law clerks of Chief Justice Earl Warren, the Cortez Society, many long-time supporters of "the Chief," and friends and colleagues of some of the major memoirists in the project. The Roscoe and Margaret Oakes Foundation and the San Francisco Foundation have jointly sponsored the Northern California Negro Political History Series, a unit of the Earl Warren Project.

Particular thanks are due the Friends of The Bancroft Library who were instrumental in raising local funds for matching, who served as custodian for all such funds, and who then supplemented from their own treasury all local contributions on a one-dollar-for-every-three dollars basis.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the history of California and the West. The Office is under the administrative supervision of James D. Hart, Director of The Bancroft Library.

Amelia R. Fry, Director
Earl Warren Oral History Project

Willa K. Baum, Department Head
Regional Oral History Office

30 June 1976
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EARL WARREN ORAL HISTORY PROJECT

Principal Investigators

Ira M. Heyman
Lawrence A. Harper
Arthur H. Sherry

Advisory Council

Barbara Nachtrieb Armstrong *
Walton E. Bean
Richard M. Buxbaum
William R. Dennes
Joseph P. Harris
James D. Hart
John D. Hicks *
William J. Hill
Robert Kenny
Adrian A. Kragen
Thomas Kuchel
Eugene C. Lee
Mary Ellen Leary

James R. Leiby
Helen R. MacGregor *
Dean E. McHenry
Sheldon H. Messinger
Frank C. Newman
Allan Nevins *
Warren Olney III
Bruce Poyer
Sho Sato
Mortimer Schwartz
Merrell F. Small
John D. Weaver

Project Interviewers

Amelia R. Fry
Joyce A. Henderson
Rosemary Levenson
Gabrielle Morris
Miriam Feingold Stein

Special Interviewers

Orville Armstrong
Willa K. Baum
Malca Chall
June Hogan
George W. Johns
Frank Jones
Alice G. King
Elizabeth Kerby
Harriet Nathan
Suzanne Riess
Ruth Teiser

* Deceased during the term of the project.

EARL WARREN ORAL HISTORY PROJECT
(California, 1926-1953)

Interviews Completed - January 1977

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- A. Wayne Amerson, Northern California and Its Challenges to a Negro in the Mid-1900s. 1974. With an introduction by Henry Ziesenhenn
- Edwin L. Carty, Hunting, Politics, and the Fish and Game Commission. 1975.
- Ford Chatters, View from the Central Valley: The California Legislature, Water, Politics, and The State Personnel Board. 1976. With an introduction by Harold Schutt
- C.L. Dellums, International President of the Brotherhood of Sleeping Car Porters and Civil Rights Leader. 1973. With an introduction by Tarea Pittman
- McIntyre Faries, California Republicans, 1934-1953. 1973.
- Richard Graves, Theoretician, Advocate, and Candidate in California State Government. 1973.
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- Oscar J. Jahnsen, Enforcing the Law Against Gambling, Bootlegging, Graft, Fraud, and Subversion, 1922-1942. 1976.
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- Edgar James Patterson, Governor's Mansion Aide to Prison Counselor. 1975. With an introduction by Merrell F. Small
- Tarea Pittman, NAACP Official and Civil Rights Worker. 1974. With an introduction by C.L. Dellums
- Robert B. Powers, Law Enforcement, Race Relations: 1930-1960. 1971. With an introduction by Robert W. Kenny
- William Byron Rumford, Legislator for Fair Employment, Fair Housing, and Public Health. 1973. With an introduction by A. Wayne Amerson
- Arthur H. Sherry, The Alameda County District Attorney's Office and the California Crime Commission. 1976.
- Merrell F. Small, The Office of the Governor Under Earl Warren. 1972.

Paul Schuster Taylor, California Social Scientist.

Volume I: Education, Field Research, and Family. 1973. With an introduction by Lawrence I. Hewes

Volume II, III: California Water and Agricultural Labor. 1975. With introductions by Paul W. Gates and George M. Foster

Multi-Interview Volumes

Earl Warren's Bakersfield. 1971.

Maryann Ashe and Ruth Smith Henley, Earl Warren's Bakersfield.

Omar Cavins, Coming of Age in Bakersfield.

Francis Vaughan, School Days in Bakersfield.

Ralph Kreiser, A Reporter Recollects the Warren Case.

Manford Martin and Ernest McMillan, On Methias Warren.

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Clarence Severin, Chief Clerk in the Alameda County District Attorney's Office.

Homer R. Spence, Attorney, Legislator, and Judge.

E.A. Daly, Alameda County Political Leader and Journalist.

John Bruce, A Reporter Remembers Earl Warren.

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Heman Stark, Juvenile Correctional Services and the Community.
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William S. Mailliard, Earl Warren in the Governor's Office.
Archibald M. Mull, Jr., Warren Fund-Raiser; Bar Association Leader.
Rollin Lee McNitt, A Democrat for Warren.

Volume II: In Process.

Volume III: In Process.

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Robert Clifton, The Democratic Party, Culbert L. Olson, and the Legislature.
James Roosevelt, Campaigning for Governor Against Earl Warren, 1950.
George Outland, James Roosevelt's Primary Campaign, 1950.
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Mildred Hale, Schools, the PTA, and The State Board of Education.
Clark Kerr, University of California Crises: Loyalty Oath and the Free Speech
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Adrian Kragen, State and Industry Interests in Taxation, and Observations of
Earl Warren.
Geraldine McConnell, Governor Warren, the Knowlands, and Columbia State Park.
Carey McWilliams, California's Olson-Warren Era: Migrants and Social Welfare.
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Earl Warren Oral History Project

Mildred Hale

SCHOOLS, THE PTA, AND
THE STATE BOARD OF EDUCATION

An Interview Conducted by
Rosemary Levenson

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SCHOOLS, THE PTA, AND

THE STATE BOARD OF EDUCATION

An Interview Conducted by
Rosemary Levenson



Mildred Hale

TABLE OF CONTENTS -- Mildred Hale

INTERVIEW HISTORY	1
MRS. HALE'S OFFICE	1
BACKGROUND	2
DR. WALTER HEPNER	3
RELATIONSHIP WITH GOVERNOR WARREN	4
GOVERNOR WARREN, HELEN MACGREGOR, AND WOMEN'S GROUPS	6
WALTER F. DEXTER AND ROY E. SIMPSON, STATE SUPERINTENDENTS OF PUBLIC INSTRUCTION	8
CHILD CARE CENTERS AND WORKING MOTHERS	13
SPECIAL EDUCATION	11
STATEWIDE CONFERENCE ON CHILDREN AND YOUTH	15
THE JAPANESE-AMERICAN RELOCATION AND THE PTA	16
SAN DIEGO-YOKOHAMA FRIENDSHIP COMMISSION	18
INDEX	20

INTERVIEW HISTORY

Mrs. Hale had been suggested by various people as an excellent source of information on education in the Warren Era. When I suddenly had to take a trip to San Diego I called her, about a week before, to ask her for an interview. She graciously agreed, but was modest about her estimation of both her memory and importance on the educational scene. Because of the rushed circumstances neither of us had time for detailed research and checking of personal files which preceded most of the interviews in the Warren series.

The interview took place in the Hales' lovely house in San Diego. Unfortunately, in moving from their large family home to a smaller one, Mrs. Hale had got rid of most of her files. But the interview yielded much interesting material on the contributions of a devoted, intelligent volunteer citizen to the problems of education in California in the '40's and '50's. Mrs. Hale was on the San Diego Board of Education for twenty-five years, was president of the California Congress of Parents and Teachers and served from 1943-55 as a Warren nominee to the State Board of Education.

The verbatim transcript was sent to Mrs. Hale who made a few minor revisions. She requested that the manuscript be somewhat rearranged for topical continuity, which I have done.

Rosemary Levenson
Interviewer

1 November 1972
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MRS. HALE'S OFFICES

(November 19, 1970, San Diego, California)

Levenson: Mrs. Hale, you held some important positions in education during the Warren administration. Could you please tell me what they were?

Hale: Yes, I was the president of the California Congress of Parents and Teachers at that time, in midterm from '42 to '44, and then in May, '43 Governor Warren appointed me to the State Board [of Education, until February, 1955]. I don't know how I got on it. I just was appointed. I thought that was very nice, and I was glad to serve, because I was also serving at that time on the San Diego City Board of Education, on which I served for twenty-five years. So I had a good three-way method of contacting people: parents, children, schools here. I'm sure being on the State Board made me a better local member, and vice versa.

Levenson: It must have been very demanding.

Hale: It was. [Laughter] A 29-hour-a-day job!

Levenson: Did you have children in school at that time?

Hale: Yes. We had three sons. Yes. They're now married and all three of them live here in San Diego. We're very fortunate.

Levenson: When you were on the Board of Education, did you feel that you were being creatively used? Did you feel that the State Board was a useful job for you?



Hale: live around 1914. We enjoyed San Diego. My husband was in the wholesale auto parts business.

Levenson: Your children--did they go to public schools here?

Hale: Oh yes. I have a feeling about public school officials who send their children to private schools. After all, we have good public schools.

Yes, we have three sons. That way I acquired three daughters-in-law and nine wonderful grandchildren, and we have twenty-two great grandchildren.

Levenson: Oh, isn't that marvelous.

Hale: Yes, it's just lovely. There are so many things that we can do when we are together.

Levenson: All in San Diego?

Hale: Oh no, the grandchildren are scattered from Maine to the West and from Oregon to Florida, all over the United States, and have been in Okinawa and Vietnam, and various places. There's only one in Vietnam now, and one in Norfolk, Virginia, and one--I've forgotten--on an Air Force Base somewhere. I do keep up correspondence with them.

Levenson: Quite a job!

DR. WALTER HEPNER

Levenson: What can you tell us about your friend Dr. [Walter R.] Hepner?

Hale: Oh. He was a very good, firm school man. A fine superintendent. We thought he was one of the best we had here. He was so good that the state took him away from us. [Laughter] He became director of one of the departments, but I can't remember which one right now. [Division of Secondary Schools, State Department of Education] In any

Hale: case, when we had the State Board of Education meeting, we had him and the department heads at our meetings. Then later he was called back to be president of San Diego State College.

He's a short man. I remember one time, oh, one of these obstreperous youngsters came into his office over there in the education center, and threatened him with something or other, and I said, "Well what did you do, Dr. Hepner?" He said, "You know, I'll tell you a secret, I have a little box underneath my desk, and I stood upon that box and it brought me up to about six foot two, and I said to him that if he didn't get out of there, I would see that he was punished severely!" [Laughter] He said the youngster was about six feet three himself!

He's a very fine educator. He's had, I'm sure, offers from many other places. He's retired now, and lives out in La Jolla.

Levenson: When you said he was a firm school man, what do you mean by that?

Hale: Well, he knew education; he knew good education. He knew what was necessary to conduct the schools in the proper manner, and saw that it was done. I think that's what I meant.

Levenson: It's as good a definition as any.

RELATIONSHIP WITH GOVERNOR WARREN

Levenson: Did you know Governor Warren before you went on the State Board?

Hale: I didn't. And I don't know how he knew me. I think perhaps Dr. Hepner might have written him about me, because Dr. Hepner was our superintendent of schools here. I had known him over a period of years. I never asked anyone, but I thought that might have been the way.

Levenson: And then after you did meet Warren, did you become personal friends?

Hale: No, not personal friends. I met his wife, and I met one of the youngsters at one time. And of course we were thrown in contact in many places, like the dedication of the Education Building in Sacramento, and at the School for the Deaf. Oh, he was in San Diego two or three times, visiting the State College, or I would see him at other places where our paths happened to cross. But we were not personal friends. I admired him very much, and I felt hurt deep down inside at the decisions that he made when he became Chief Justice. In many instances, I think he was thinking of the man, being very humane about one person instead of thinking of the whole group. I don't know how to explain.

Levenson: Which decisions bothered you particularly?

Hale: Oh. About prayers in the schools, for one thing. That wasn't about a man. But there were several instances in which I thought, "Well, right now, he is doing a thing that is best for the person who is involved now." It hurt my feelings, because I thought he could never be brought to change his mind about the things that were right. So, of course, I thought some of the things he did were wrong. But then, that's only my opinion.

Levenson: How did you feel about the school decision, the desegregation of the schools?

Hale: I think they should be integrated, but not by mandate. I think we have to place the child in the school in his own neighborhood. There are some schools that never need to be integrated. You know, when you've visited as many schools as I did, you are used to seeing, oh, one or two little black people in with a whole group of thirty-five white youngsters, and I had quite a shock one day visiting one down here at the other end of town, when every one of the third grade youngsters that came out of that room were black, except one little blonde girl. This is a good ratio, to have the same ratio as was in other classes. I thought it was unusual, but no one

Hale: there thought anything about it.

Levenson: Did Warren ever come to your board meetings?

Hale: He may have visited several times, but not on a regular basis, if that's what you mean.

GOVERNOR WARREN, HELEN MACGREGOR, AND
WOMEN'S GROUPS

Levenson: Helen MacGregor asked to be remembered to you particularly.

Hale: Oh, she is a delightful person. I'm very fond of Helen MacGregor. She was Governor Warren's secretary. At one time she brought together, I think at the governor's suggestion, all of the heads of women's organizations in the state. I was included, although the PTA is not a women's organization, you know. At any rate, this was a very helpful thing. We called it The Round Table.

It was good for us to get together and understand what women's clubs, women voters, and the different groups were doing throughout the state, and let them know what PTA people were doing too. In many instances, we were helping the same people in scholarships and fellowships, which I was very glad to find out about.

Levenson: Yes. That was a useful thing. Was it Warren's idea?

Hale: He had Helen call them together, I think.

Levenson: I have a note here that says he didn't know how he would have got his excellent legislative program through without the aid of women's groups. What do you think about that?

Hale: That's right. I remember now. I was at a Board of Education meeting at Sacramento one time, when a secretary came in and put a note in front of me: "The Governor wants to see you." I looked at it,

Hale: and I said, "Well, I'm in a Board of Education meeting. I can see him tomorrow." She said, "When the Governor wants to see you, you go over right now." So I went over to his office, and this is what he wanted to know: how many women's clubs did I belong to, and if I had a way of getting information to them about what was going on, or from them about what they wanted? (This must have been prior to some legislative proposal.) I said I was not a joiner and I did not belong to the San Diego Women's Club or the Federated Women's Club, nor bridge clubs. My interest was mostly in education and schools and study and that sort of thing. So I know he was interested in that. He said at that time--the thing you quoted--he didn't know how he could manage to be a good governor without knowing what women felt about things! [Laughter]

Levenson: That was quite unusual for the time, I think. Did Helen MacGregor come to your board meetings?

Hale: I don't remember that she came to the board meetings. I became better acquainted with her at the time that Mrs. Strong (the other woman I told you was on the board)--she knew Helen better than I. We used to plan to meet and have lunch together prior to or following the board meetings, so we always had an opportunity to talk together and to talk things over. And of course Mrs. Strong was in this women's group too. I think there was only one from every group. Mrs. Strong preceded me as state president of the PTA. She was on for a year before I was.

Levenson: Where was she from?

Hale: Palo Alto.

Levenson: Is she still alive?

Hale: Yes, but I think she's ill. I haven't heard from her for months. I wrote to someone up there a while ago asking about her, and had a reply that she had been in the hospital. She's living in Channing House in Palo Alto. It would be a good thing to interview her, if she's well enough to

- Hale: do it, because she's a delightful person. She was the wife of Dr. E.K. [Edward Kellogg] Strong, you know, a former professor at Stanford, who had developed these tests, Stanford aptitude tests.
- Levenson: Stanford-Binet tests?
- Hale: Yes, the aptitude tests. Later, after he retired, he also worked for the army, developing tests for those going into the service.
- Levenson: Very interesting.

WALTER F. DEXTER AND ROY E. SIMPSON, STATE
SUPERINTENDENTS OF PUBLIC INSTRUCTION

- Levenson: Can you tell me about the State Superintendents of Public Instruction? Perhaps Dr. Dexter first. What was he like to work with?
- Hale: He was very fine to work with, honest, upright, a thoughtful person. Many people thought he was too reticent. I liked him very much, personally. I thought he was a fine administrator. He was not as outspoken as many we have had since then, but at that time it wasn't necessary to shout your beliefs.
- Levenson: Roy Simpson?
- Hale: Roy Simpson--I should probably cross this out, actually!
- Levenson: Oh, feel free! [Laughter]
- Hale: I don't think he did as much as board members and the general public hoped he would do. I liked him as a man. I thought he was a pleasant, honest person also. He didn't have the courage to do many of the things which were demanded of other state superintendents. I knew and liked Mrs. Simpson very much. They were good citizens. I think he was as good a superintendent as one

Hale: could find at that time. Although I'm aware that there were many people who had planned to run against him.

I think that he tried to please everyone. He was just a good man, you know, and you can't please everyone. There were times when I thought he should have made a firm stand against or for something, which didn't quite always happen.

Levenson: Can you think of any specific issues, any special cases?

Hale: Oh, right at this moment I can't.

Levenson: Do you remember how the Board of Education and the Department of Education worked together? Did you have good relations under Dexter and Simpson?

Hale: As far as I can remember we had very good relations. The department was there to do their particular job, and as they reported to the State Board of Education we were very glad to know what they were doing. Sometimes they did rather well; sometimes I thought they didn't have as much to report during the two months interim as we would have wished, but I believe that we had very good relations. In fact, I enjoyed all of the reports. I enjoyed the graphs that were brought in to show us how we had moved during the interim.

Levenson: I know that it's a nonpartisan position, but were Dexter's and Simpson's personal politics known at that time?

Hale: I don't think so.

Levenson: Things have changed, haven't they?

Hale: I didn't know what they were. [Laughter]

One of the major concerns of the State Board of Education at the time was that of determining why we had tenure, and if it was the best thing to do.

Levenson: Is that tenure for teachers?

Hale: Yes. And I finally decided it was the best thing to do at that time. Now there's a great deal of discussion about it, I discover. I was interested also in the great amount of money to be expended on education and determined it probably ought to be the first business of the state, which the constitution says it is. But it doesn't always get there.

Levenson: What about the textbooks? I seem to remember that you had quite a bit of trouble with the Building America series. Were you concerned in that?

Hale: I don't think I had any trouble about it--

Levenson: I didn't mean you personally, I meant the Board of Education.

Hale: Well, yes, because many people were concerned about the Building America textbooks. Oh, I remember one woman saying, "But you have so many pictures of Roosevelt in there, and very few of Lincoln, and I'd like to know why." Well, it was just the method of photography at the time Lincoln was president!

Some of the criticisms I thought were good, and we welcomed them. Other criticisms I thought were very poorly thought through. I can't remember much about it now. It seems to have lost its importance. You know, you do the things at the time that have to be done, and then the weeks and the years pass, and I'm really so much more concerned about the future! I can't remember all the things I did in the past.



SPECIAL EDUCATION

Levenson: What were your major interests on the Board of Education?

Hale: State-wide? I don't think one can determine major interests, because they're so tied in with the local interests, and with all children. I've always had a soft spot in my heart for the crippled or for the retarded, or for the special children, and had done some work down here on that. So I was interested in seeing things that were happening throughout the state.

This does recall something that Governor Warren did. One time, members of the State Board of Education were visiting the School for the Deaf and Blind in Berkeley, and Governor Warren was to be the speaker. Little people dressed in long robes, who were going to sing in the choir, were standing on risers, waiting to welcome him. He came in--after we'd been there fifteen or twenty minutes I think, while the little people were still standing there, and then after he came in, he shook hands with the other dignitaries who were present, and finally began to speak. One of these little persons fainted. Governor Warren strode down from the platform, picked the little fellow up in his arms and held him there, and looked around until someone in charge relieved him of the little boy. Then he said, "I don't think I'd like to go on until these people are back in chairs again." And so they finally got down off the platform. I remember that. He was so kindly, and so solicitous for this little fellow.

Levenson: Did you pay much attention at that time to the intellectually gifted?

Hale: Yes. They were special children too, but at the other end. Yes, I think that that was one of the things in which we were helpful on the Board of Education. I was able to see so much done for the ordinary child, and for those who were handicapped in many instances. We were aware, all the time, of course, that there were many



- Hale: gifted children. Oh, with scholarships and fellowships which were awarded at the end of every year in high school--it was such a joy to give them to the youngsters. That too, then, became a part of the amount of money which was spent for better education: helping the gifted youngsters.
- Levenson: High potential programs, in recent years, seem to have lagged behind the other special programs. That is to say that the high potential classes have really been at the bottom of the list in terms of educational priorities. It's changing now, I think.
- Hale: Yes, I think it's changing now.
- Levenson: Perhaps I'm wrong. Perhaps it had a higher priority than I seem to have noticed.
- Hale: I think people just didn't recognize it or talk about it then. They're talking about it and they're doing something about it now. That's probably why we've become more conscious of it. I think that we in San Diego (I sound like the Chamber of Commerce!) have had over a period of years one of the best school systems. I was able to see other school systems, and to visit them in the East, and to visit them in Japan, and in various other places. It seems to me that we didn't have the problems here that many other groups had, because we were looking at the whole child all the time, and doing the best we could for the gifted, doing the best we could for the handicapped. Starting with creating the Sunshine School, and that sort of thing. I remember when the special education department had a supervisor and a psychologist, and one half-time secretary, along in 1929 or '30. The other day I found they have sixty-three in their department now.
- Levenson: Well, I imagine the school population has gone up a great deal since then.
- Hale: Oh yes, tremendously.

CHILD CARE CENTERS AND WORKING MOTHERS

Levenson: Were you concerned much with the child care centers during the war?

Hale: Yes, I was. I thought it was too bad that we had to have babysitters. I thought it was too bad that mothers had to work. I don't think all of them had to work. They wanted to work in factories, and this business of getting away from home and doing odds and ends of little jobs seemed more important to them. I remember telling someone one time that I thought while she was winding armatures at the factory, someone else was winding her baby's curls around their fingers, and that she ought to be doing that--which wasn't very nice of me, was it? [Laughter]

Levenson: Supposing she had said to you--and I don't think this would have been a justified remark--"Well what are you doing on all these committees when you have three boys in school?"

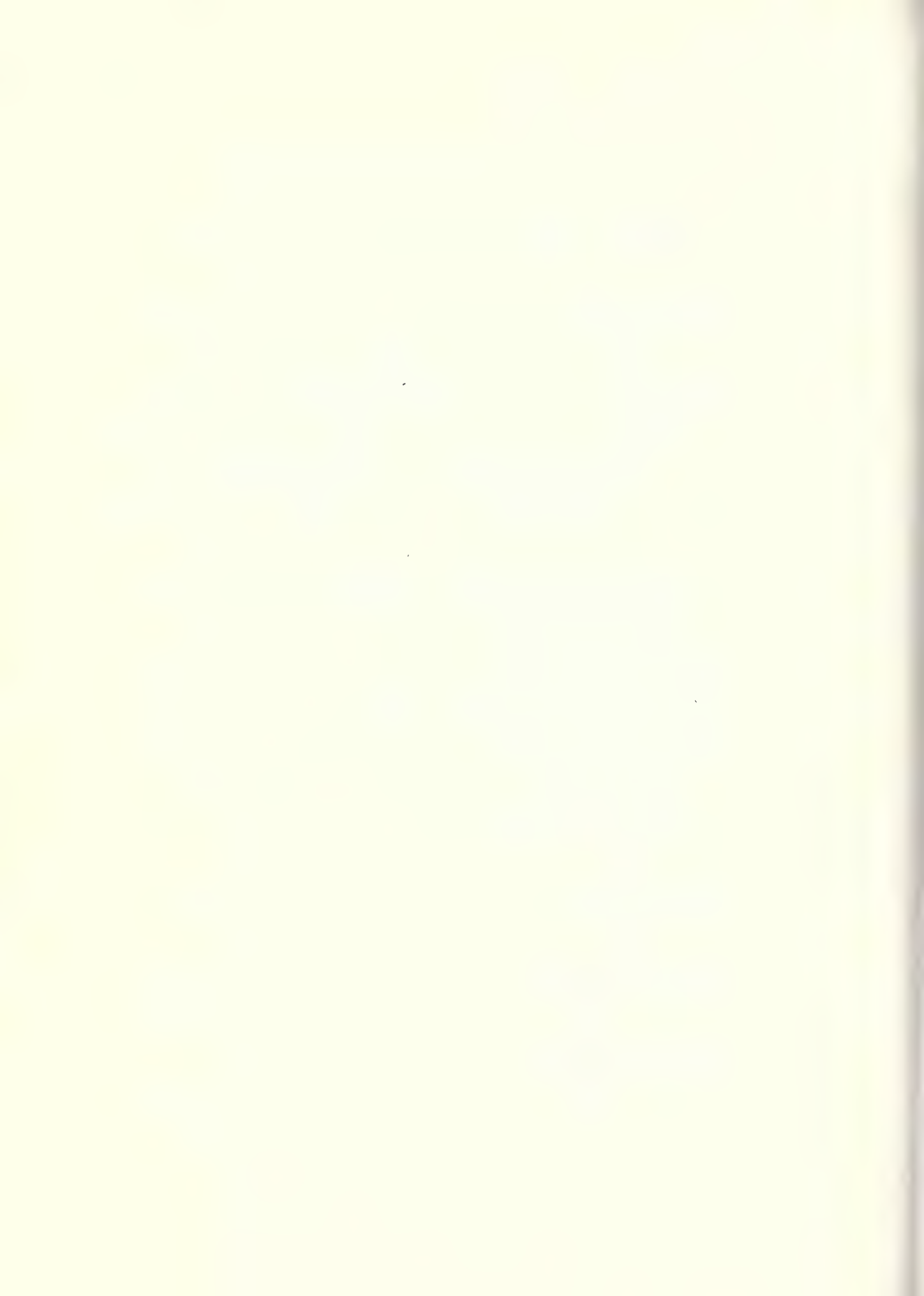
Hale: That would have been a very good question, to which I probably would have said, "I have taken care that a very fine Norwegian woman is in my home, taking care of the stomachs of my children, and I rarely stay away more than two days at a time." You know, I managed to be home and to get the necessary things done, like taking them to games, and seeing that they got to their music lessons, and going all over the state to basketball meets and that sort of thing.

Levenson: Was it felt necessary for the war effort to use the female work force in defense industry?

Hale: That was the reason that many of them went to work, but many others just felt it a method of escape from home and housework.

Levenson: So the child care centers were administered under the Board of Education?

Hale: Yes, in many instances they were, and of course, here with a room and teachers and everything



Hale: available for them, the schools are the first thing that people think of for ready-made audiences, ready-made auditoriums, ready-made methods of doing things. We had accepted it--I am speaking of we as a local board, or any educational board. We said, "Oh yes, we can do it a little better than someone else." I think that we were wrong at the time. I thought it was wrong to have accepted so much responsibility. And also the great amount of money which was necessary to be expended for that sort of thing, when I did think that it should come from other sources, or should be placed under other categories.

For instance, the driving. Why do schools have to pay for drivers and that sort of thing? I should think it should come out of the police department.

Levenson: Who attempted to shut the child care centers down? I gather there was controversy about the child care centers for quite some time. Why?

Hale: Now, that I would be unable to answer. I don't remember any great concerted effort to shut them down. I remember controversies back and forth, but nothing much done about it. They were continued till way after the war, until they became a part of the school system.

Levenson: The parent cooperative nursery schools?

Hale: Yes, in many instances--and the child care centers now, and the Head Start, and all this sort of thing.

Levenson: Who would you rather have had take responsibility other than education?

Hale: This is an iffy question. One feels that there are many organizations who study and who know a great deal about child care and child psychology, and working with them might have been a better thing to do at the time. Right this minute, I can't name particular people or groups. I think perhaps I have in mind some private schools that

Hale: we have here in San Diego, and I think they have some around San Jose where they have developed very fine schools for young people, and it seems to me they could easily have done that instead of putting it under the public school system. Then have mothers responsible for placing their children in a place where they could pay for it, and since they were going to work, they evidently could pay for it. That's just my personal opinion. I don't think it was the opinion of the whole group of school people.

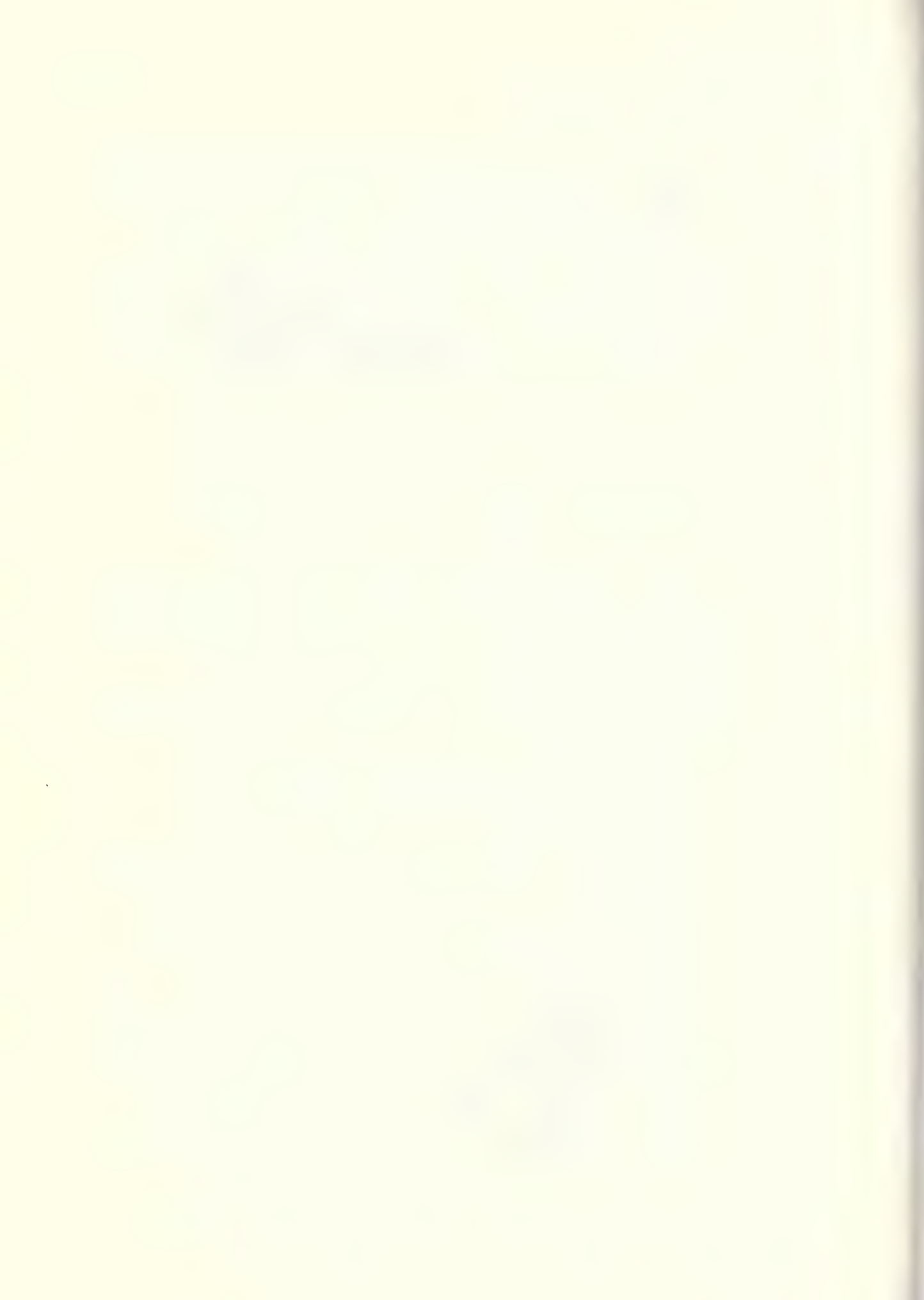
STATEWIDE CONFERENCE ON CHILDREN AND YOUTH

Levenson: Did you serve on the Governor's statewide Conference on Children and Youth?

Hale: Yes. In fact I called a conference one time, in 1943, in which we asked the governor and the heads of all departments to come to it. I came across one of those programs the other day. Maybe I can find that for you later.

Levenson: Thank you. Did you have any specific issues you wanted to discuss at that time?

Hale: I think at that time we were more concerned about, oh, the "door-key" children, and again, the parents working, and youngsters roaming the streets, and that sort of thing. And young people in courts, and young people being placed in jail with older, hardened criminals. I remember sub-committees on that--or I think they were different sessions at the same meeting, when we would go into various groups, you know, to talk things over, and then a final summary was made on the last day. The nice part about that was that you had someone representing the court, someone representing the police, someone representing the welfare department, and so no one could say, "The welfare department is responsible for this;" or "we in the police are not responsible for such and such," because you had the people all there. It was a nice thing, I think, to have them all together.



Levenson: Did you come to any guidelines or any conclusions about these children, these "door-key" children?

Hale: I'm sure we did, but right now I can't tell you whether it was a great help or whether any of the suggestions were implemented or not.

Levenson: Did you have anything to do with the Youth Authority?

Hale: The PTA worked closely with Karl Holton, and there again, I asked him to be the juvenile protection chairman on the State Congress of Parents and Teachers when I was president, and he served well for two years.

Levenson: Effectively?

Hale: Yes.

Levenson: I believe these state-wide conferences led to the calling of the national conference at the White House. Did you go to that?

Hale: I have only been to one White House Conference. I don't know whether ours led to that, or whether it just happened to occur simultaneously.

THE JAPANESE-AMERICAN RELOCATION AND THE PTA

Levenson: Did you have anything to do with the education of Japanese-American children who were relocated in California?

Hale: Yes. At the time I was PTA state president, I was sent with two or three other people up to Manzanar because we were concerned about the textbooks that the children had, and we were concerned with the lack of benches, or even pencils or paper or crayons or anything to work with. So the State Congress sent us up there. We got in the camp about sunset, at night. Before we'd had anything to eat, someone said, "Would you like to go to a PTA meeting?" Well, of course we would!

Hale: So we went there, and we saw a performance which I shall never forget. These little youngsters up there, at different grade levels, put on a play. Did you ever see slant-eyed youngsters dressed in blackface? They put on a minstrel show! Another group danced the Highland Fling. The fifth or sixth grade had on green hats, and they danced jigs, and they did the things that the Irishmen do. Others went on, until a finale--the seventh or eighth graders (beautiful lively little Japanese girls) danced with their fans, you know, and made motions with their hands, and did their own lovely Japanese dance. Then when we looked at our program, again, I think that I shall never forget. The thing they were doing was called, "Our American Heritage." This was a beautiful thing for them to do. They had to be in bed so early you know (back in "prison" again) that it was all over with by 7:30.

But they knew the heritage that they had, and these were American children of Japanese descent. I remember very vividly, because the PTA was trying to buy books, and we also wanted to get our PTA manual, and the by-laws, and that sort of thing up there, and we were not allowed to do it at first! Someone said, "Well, why not?" One of these fine people at Manzanar had been the publicity chairman for the whole state PTA and made the most beautiful book you ever saw, cutting out newspaper clippings and programs and had painted around them, handpainted little leaves, and swans, and oh, cranes, and that sort of thing.

Levenson: Do you remember whose initiative it was that got you up there, visiting the camp?

Hale: Yes, it was the California Congress, the state PTA. Of course I was president at that time. We had envisioned the PTA as a help in camp. I remember some woman saying, "Oh, we're not going to do anything for those Japanese when their fathers are over shooting at my son in Japan!" And another woman whose son never came back said, "I think that they should have the same privileges that our children are having in school." You see, we had all sorts of people.

SAN DIEGO-YOKOHAMA FRIENDSHIP COMMISSION

Hale: You said that you're interested in the Japanese people. You might be interested to know that I was named by the mayor here on the San Diego-Yokohama Friendship Commission. There were fourteen of us named. We went over to Japan in '58, and oh, were treated so well, so nicely, over there. We became friends with so many people there. Then they in turn visited us during the exposition that we had here in San Diego, and later as school men came over here, and we again went there, we exchanged visits. Of course I found myself on the education committee. Each of us had different things to do; another member was interested in flower arranging, and set up classes here between the American and the Japanese.

I was able to get nineteen schools here and nineteen schools over there together in a sister school program. This was so interesting. I thoroughly enjoyed that, and of course I made friends. And when we visited over there a few years ago, we went back to see some of them. I wasn't able to carry on with this. I gave it up, because the Sister City Commission as such was dissolved, and now it is called the San Diego Sister City Friendship Society. At any rate, I served as parliamentarian on that and got the by-laws together first. That was an interesting thing to do. I like to do that. So I'm really interested in the Japanese.

CODA

Levenson: Well, I've finished the questions that I had in mind. Is there anything that you particularly feel you'd like to expand on or introduce, or bring in about your years of association with the Warren administration, Helen MacGregor, or Governor Warren or any of the people we've mentioned, or some that I haven't mentioned?

Hale: No, I'm sorry, but really, at seventy-nine my memory isn't as good as it used to be, and I keep thinking of little instances, like the one of the child who fainted.

Levenson: Are there any other ones you can think of?

Hale: No. It's odd. At the time there were many things that I thought were worthwhile, or I wouldn't have gone to the women's meetings. I wouldn't have stayed on the Board of Education. I wouldn't have done anything unless I felt that I was in some way contributing something to the youth of the state. But I just can't remember specific instances.

Transcriber: Jane West
Final Typist: Keiko Sugimoto



INDEX -- Mildred Hale

- American Legion, 2
- appointments to public office, 1

- California Congress of Parents and Teachers (PTA), 1, 2, 6, 7, 16-17
- California School for the Deaf, 5, 11
- California, State of
 - Education, Board of, 1-2, 4, 6-7, 9, 19, 11, 13-14, 19
 - Education, Dept. of, 3, 9
 - Welfare, Dept. of, 16
 - Youth Authority, Dept. of, 16
- child care centers, 13-14
- children, 1, 3, 11-17
- communism, 2
- courts, state, 15

- Dexter, Walter F., 8, 9
- "door key" children, 15-16

- education, 1, passim
- employment, 13, 15

- gifted children, 11-12
- Governor's Conference on Children and Youth, 15

- handicapped children, 11, 12
- Head Start program, 14
- Hepner, Walter R., 3-4
- high potential programs, 12
- Holton, Karl, 16

- Japanese-Americans, 2
 - Japanese relocation, 16-17
- Japanese-American relations, 18
- juvenile crime and correction, 15

MacGregor, Helen, 6,7
 mental retardation, 11

Negroes, 5
 neighborhood schools, 5
 nursery schools, parent cooperative, 14

police, 14, 15
 psychological testing, 8
 PTA (see California Congress of Parents and Teachers)
 public schools, 3, 12, 14, 15
 prayers in, 5
 desegregation of, 5-6

racial integration, 5-6
 religion, 5

The "Round Table", 6

San Diego, City of
 Education, Board of, 1
 public school system, 12
 San Diego Sister City Friendship Society (Sister City
 Commission), 18
 San Diego State College, 4, 5
 San Diego-Yokohama Friendship Commission, 18
 Secondary Schools, Division of (California State Department
 of Education), 3
 Simpson, Roy E., 8-9
 Sister City Commission, 18
 special education, 11-12
 Strong, Edward Kellogg, 8
 Strong, Margaret Hart, 2, 7
 Sunshine School, 12
 Supreme Court, U.S., 5

tenure (teachers), 9-10
 textbooks, 10, 16, 17



Warren, Earl, 1, 4-6, 7, 11, 15
Welfare, California State Dept. of, 15
White House Conference on Children and Youth, 16
"witch-hunting", 2
women, 2, 6-7, 13, 15
World War II, 13, 14

Youth Authority, California State Dept. of, 16



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Clark Kerr

UNIVERSITY OF CALIFORNIA CRISES:
LOYALTY OATH AND FREE SPEECH MOVEMENT

An Interview Conducted by
Amelia Fry



Chancellor Clark Kerr (left) and Robert Gordon Sproul, 16 November 1953.

Photograph by Ed Kirwan

TABLE OF CONTENTS — Clark Kerr

INTERVIEW HISTORY	1
I THE LOYALTY OATH CONTROVERSY	1
Conflict on the Board of Regents: The Question of Decentralization	1
The Role of Kerr and the Committee on Privilege and Tenure	3
Communism and the University	4
Becoming Chancellor of the University of California, Berkeley	6
Achievements as Chancellor	7
Relations with the Burns Committee	8
A Loyalty Oath for All State Employees	11
II THE FREE SPEECH MOVEMENT	14
The Issue of Twenty-six Feet	14
Alex Sherriffs	17
Reflections on Earl Warren	18
The Role of Chancellor Edward Strong	20
INDEX	24

INTERVIEW HISTORY

As a key administrator in the University of California system during the 1950s and 1960s, Clark Kerr was an important memoirist to record for the Regional Oral History Office's Earl Warren Project, to document the growth of the University and the major crises that swept through it during and after Warren's governorship of California.

A single, short interview was held on September 29, 1969. The circumstances of the taping were serendipitous. Amelia Fry, director of the Warren Project, found herself, tape recorder in hand, on the same plane as Dr. Kerr on a one-hour flight to San Francisco. He consented to an impromptu taping session, which lasted the length of the flight and was surprisingly uninterrupted by engine, passenger, or in-flight meals and movie noises. The limited time dictated that the discussion center around the two most controversial aspects of recent University history: the loyalty oath controversy and the Free Speech Movement.

The transcript of the tape-recorded interview was edited by Miriam Stein. Dr. Kerr reviewed the manuscript and made several minor changes and corrections.

Dr. Kerr, who joined the University of California, Berkeley faculty in 1945, begins by describing the debate over decentralization of the University system that split the Board of Regents in the late 1940s. Regent John Francis Neylan and the southern regents argued for greater autonomy for each campus, while University President Robert Gordon Sproul and most of the northern regents favored a centralized system. The issue was ultimately resolved when the post of Chancellor was created for each campus. Dr. Kerr himself was appointed chancellor at Berkeley in 1952.

The loyalty oath controversy, notes Dr. Kerr, can only fully be understood in the context of this conflict between Sproul and Neylan. The oath itself, a negative disclaimer of disloyalty, was introduced by President Sproul in 1949 to forestall efforts by the state legislature to institute more severe measures to curb real or imagined subversion on campus. Neylan supported the oath, and Sproul, who at first agreed to it but later reversed himself, found himself caught between irate faculty and an equally intransigent Board of Regents. The effect, Dr. Kerr indicates, was to leave Sproul immobilized.

Dr. Kerr describes the attempts of the Committee on Privilege and Tenure of the northern section of the Academic Senate, of which he was a member, to reduce the devastating impact of the oath by holding hearings with the thirty-two faculty members who had refused to sign the oath and recommending that they not be fired. Despite Kerr's pleas to the regents, however, the board voted in August 1950 to dismiss the non-signing professors. As chancellor at Berkeley, Kerr fought successfully (with the help of a California Supreme Court decision) to have the professors reinstated and paid their lost salaries.

Dr. Kerr briefly notes Governor Warren's role in opposing the oath and the firing of the non-signers because the oath was aimed only at university faculty and not at all state employees.

Kerr's six years as chancellor, he relates, were filled with accomplishments in university growth and planning, despite his being hampered by lack of real authority. He continued to oppose legislative investigation of possible subversives on campus, and describes his ongoing conflict with the California legislature's Joint Fact-Finding Committee on Un-American Activities.

The Free Speech Movement at the University of California, Berkeley, which began in the fall of 1964, originated in overwhelming student protest of the September 14 order from the dean of students barring political activity and protest from a twenty-six foot wide strip of sidewalk at Bancroft and Telegraph.

Dr. Kerr relates the complex series of events and personalities that led to the order, placing it in the context of the long, hot summer of 1964 that saw intensive civil rights activism in Mississippi and Alabama, the Goldwater-Johnson campaign, and the widespread public support for a California ballot proposition barring fair housing legislation. In Dr. Kerr's judgment, the September 14th order ranked just behind Dr. Sproul's proposing the loyalty oath as the greatest mistakes in the history of the University.

He discusses the importance of the Sather Gate free speech tradition, the political pressures that were, in his view, responsible for University Chancellor Edward Strong's issuing the order, and the evolution of Alex Sherriffs, Vice-Chancellor, Student Affairs, from the students' friend to the target of their attacks. Kerr himself, by then president of the University system, was limited in the extent to which he could intervene in the crisis.

Dr. Kerr also comments briefly on his friendship with Earl Warren, and Warren's evolution to Supreme Court Chief Justice.

A full-length memoir of Dr. Kerr is in process as a part of the Regional Oral History Office's University History Series.

Miriam Feingold Stein
Editor

22 July 1976
Regional Oral History Office
486 The Bancroft Library
University of California at Berkeley

I THE LOYALTY OATH CONTROVERSY

[Date of Interview: 29 September 1969]

Conflict on the Board of Regents: The Question of Decentralization

Fry: Before I turned the tape recorder on, you were telling me about the loyalty oath and the fact that Earl Warren really had to carry the ball for the opposition to it.

Kerr: Yes. Yes.

Fry: And University President Robert Gordon Sproul more or less felt that the oath would be a good thing because it would enable the university to have less budget difficulties with the legislature.

Kerr: Yes. Yes.

Fry: Was Senator Jack Tenney^{*} at all a part of this, do you think, at that time?

Kerr: I didn't hear about him in those days, no.

Fry: You had just started to tell me that really all this started back about 1946.

Kerr: Yes.

Fry: And that that was when Sproul's trouble with the legislature started?

Kerr: No, it started with the regents at that time, judging from what

^{*}Chairman of the Joint Fact Finding Committee on Un-American Activities of the California State Legislature.

Kerr: I've heard about the difficulties and seen repercussions of and read about.

It began about 1946. The regents wanted to reorganize the university, particularly the southern regents did. They felt that it was much too centralized in Sproul's hands in Berkeley, and also that UCLA was being unfairly treated. Whenever they wanted to start anything new, why, there were always long delays which they thought were the result of prejudice against UCLA. I guess it was more just the cumbersome procedures of the university. So there were occasions when UCLA actually did lobby in Sacramento against the university to get things. There was a lot of dissatisfaction that UCLA was always kept in a second-rate position, and some of the southern regents wanted to get more autonomy for UCLA, to get quicker actions, and also to get more favorable ones.

So there was this split involving Sproul, starting with 1946. The regents then had a study made by some consulting group in Chicago, something like the Public Affairs Center or something; I don't know what the name of it was. It was a report that was then held absolutely secret once it was received. Anyway, they made this study favoring decentralization, and Sproul didn't want to go along with it. He held this as a secret report, yes.

So the regents were split about Sproul, over reorganization. There were a good many complaints that it took a long time for the bureaucracy to act and so forth and so on, generally within the university, but particularly out at UCLA.

During that period of time, at some point, [John Francis] Neylan, who after all came from the north, joined with the southern regents opposing Sproul, so that the split in the regents predated the oath controversy. As I understand it, Neylan really just seized on the oath controversy as a way of whipping Sproul around because he was unhappy with him on other grounds.

As a matter of fact, if I remember the record correctly, Neylan did ask Sproul when he proposed the oath whether or not the faculty agreed with it or not, and Sproul made some comment implying that they did. The regents approved it unanimously. You see, Neylan was already opposing Sproul, so when Sproul proposed an oath, Neylan questioned it. But then when the oath became a real tough issue, Neylan picked up support of the oath to use it against Sproul.

You can't understand the oath controversy without understanding the fact that there was already conflict between Sproul and the southern regents in general, and Neylan in particular. Because he was already in this difficult situation and had proposed the oath,

Kerr: Sproul must have felt--this was always my assumption--that he was sort of immobilized. How could he come out clearly against an oath which he himself had proposed? By and large, the faculty held the regents responsible for the oath, not Sproul. If he'd come out and attacked the oath too directly, all that Neylan had to say was, "Well, it's your own oath."

So by and large Sproul kept quiet during the oath controversy. He looked to me like a man who was just immobilized by the controversy. It was out of this, according to what I observed, that Warren then came to take a position of leadership, which he had not taken in the regents before. Normally governors don't. But the controversy was tearing the university apart. The president was immobilized. Warren stepped in, then, essentially against the oath, or at least against the firing of the non-signers, and took leadership of the more liberal elements of the board.

The Role of Kerr and the Committee on Privilege and Tenure

Fry: And you were on the--

Kerr: Committee on Privilege and Tenure of the northern section of the Academic Senate. Later on in the controversy I was its chairman.

Fry: I'd like to know what the role of the Committee on Privilege and Tenure was. I suppose all along this main question of what would happen if people didn't sign the oath was the concern of your committee.

Kerr: That's correct. That's right. We held hearings with all the non-signers. We recommended that almost all of them be retained even though they hadn't signed, because they had made satisfactory statements to the committee. There were several who either refused to meet with the committee or when they came refused to talk to the committee, and on them, we couldn't make any recommendation at all because they hadn't submitted their cases to us. That's how the committee came in. Then we rendered a report, which was essentially accepted by the regents in July of 1950.

Fry: That these people not be fired.

Kerr: That they not be fired, yes.

Fry: Were you chairman of the committee then?

Kerr: I was not chairman then, no; I was chairman at a later time.

Fry: But you were the spokesman for it?

Kerr: At the regents' meeting in July of 1950 I ended up being the chief spokesman of the committee, which is perhaps another way of saying that I did most of the talking on behalf of the committee. I made the major presentation against Neylan, who wanted them discharged.

Fry: Did you have any give and take with Neylan at that meeting?

Kerr: There was some, yes. He had made his proposal, and I started out by saying, "Regent Neylan, no one in good faith could possibly vote for your proposal," which is a rather belligerent way to start out against a belligerent guy like Neylan, and there was some give and take. Neylan's motion to dismiss the non-signers failed by one vote at that meeting. But then at either the next meeting or the following meeting it passed; I don't know what happened at that meeting because I wasn't there. Warren was chairing the meeting that I spoke to and participated in the discussion.

Communism and the University

Fry: One thing I wonder about Warren's role in all this: I understand there was also a second issue of adopting a policy of whether or not Communists could speak on the campus, and that just as this was beginning to boil up here on the Berkeley campus, at UCLA there was a Communist who created some kind of a brouhaha by speaking on the UCLA campus, and the regents were up in arms about that. The faculty wanted something that would establish a policy, and the oath controversy was really an effort to get that decided, too. I think at this point the regents had set a policy that a Communist cannot speak on campus, so it appears that Communists weren't going to be able to teach on the campus anyway.

Kerr: Yes, well, there are several issues there. There was the issue of speakers, which really didn't get into the oath controversy, but there was a separate policy which kept Communists from speaking on campus.

As a matter of fact, the policies during that period were intended to keep any controversial speaker off. Communists were specifically denied the right to speak and the opportunity to speak, but also anything else which might lead the university into controversy was prohibited too. For example, nobody running for

Kerr: political office was allowed to speak. The rules were so restrictive that unless you could get--which was impossible--both candidates for president of the United States to speak at the same time, you couldn't have either one of them. So Adlai Stevenson spoke in 1952 and 1956 off campus. He wasn't allowed on campus, as being controversial. So the speaker issue was a separate one.

There was this related issue of the non-communist employment policy. The regents had voted this policy in 1940 and they reconfirmed it again in 1949, which was when the oath controversy began. The faculty of the university during this period was also voting a non-communist policy, which is now going to be an issue in this new case out at UCLA right now.* The ban on controversial speakers and Communist speakers was really quite a separate issue. The ban on the employment of Communists was a separate but related issue. The oath controversy was a controversy in its own right, regardless of these other things.

Fry: Yes, it certainly was.

Kerr: After all, it was the McCarthy period nationwide, and the University of California got heavily involved in it.

Fry: Someone made an astounding statement to me yesterday, that Jack Tenney really had nothing to do with this.

Kerr: The oath controversy?

Fry: Yes.

Kerr: I never heard his name mentioned in connection with it.

Fry: I thought it was the threat of his committee that had caused--

Kerr: No, all I heard was the more general statement that Jim Corley [Vice-President for University Business Affairs] just came back from Sacramento and said, "We're having trouble with the budget and it'll be easier to get the budget passed if there is an oath." It's as simple as that. I think it started out to be this kind of a routine action, intended to make things easier in Sacramento, without anybody giving any thought to what the overall consequences would be. I'm certain that President Sproul wouldn't have moved into it if he'd ever expected it to cause the trouble it did.

*The Angela Davis case.

Becoming Chancellor of the University of California, Berkeley

Fry: Well, was it this north-south autonomy issue that brought about a policy of decentralization?

Kerr: It was, that's right.

Fry: And was that how you became president?

Kerr: Well, not how I became president, but how I became chancellor at Berkeley. When they decided they'd have a chancellor at UCLA, they kind of threw in the idea that there'd be a chancellor at Berkeley. The purpose wasn't to get a chancellor at Berkeley, but they could hardly give UCLA a chancellor without giving Berkeley a chancellor. So they decided to have chancellors both places, and I was nominated to the regents by a faculty committee at Berkeley to be the first chancellor at Berkeley.

It wasn't so surprising that I was nominated by a faculty committee at Berkeley because I had been on the Committee for Privilege and Tenure, but I had never been a department chairman, I'd never been a dean, so it was a little unusual to be nominated. It was even more unusual for the regents to accept the nomination, because I had fought the firing of the non-signers, and this was the predominant position within the Board of Regents; and yet they accepted me.

Fry: It was? Oh, I thought maybe they had shifted by this time.

Kerr: No, the non-signers did get fired.

Fry: Yes, I know, but I thought maybe the membership of the regents had shifted.

Kerr: No, as a matter of fact, when I first went in as chancellor, one of the early things I tried to do was to get the non-signers re-instated and get their back pay. That only happened then because of a court case. I could not persuade the regents to change the policy, so they had not changed their policy. I don't know quite why they accepted my nomination. I think part of it was they perhaps didn't take the chancellorship at Berkeley all that seriously. They were really interested in the one at UCLA. But beyond that they may also have wanted to make up a bit to the faculty at Berkeley, since this had been a pretty rough controversy. And accepting me was a concession to the faculty.



Fry: And you were definitely the faculty's nominee?

Kerr: And I was nominated by a faculty committee. So anyway, I became chancellor.

Fry: So you hadn't really had any administrative experience. Well, you really had, though, hadn't you? And you had been pretty aware of what university administration was doing.

Kerr: Yes, I knew something about it. I'd never had direct experience. I'd done administrative work on the War Labor Board, the Office of Price Administration, and various other things, but not academic administration.

Achievements as Chancellor

Fry: Then you became president in '58.

Kerr: Yes. I was chancellor from 1952 to '58.

Fry: Chancellor for six years there. The great proliferation and reorganization started in '58.

Kerr: Yes. Yes. Sproul had been against the creation of the chancellorships at Berkeley and UCLA. He did almost everything that was humanly possible to make them not work in just all kinds of ways. What little decentralization there was when the two chancellorships were created was mostly on paper. It wasn't until I became president in '58, having gone through the process of trying to run a campus without any authority, that I then began the real decentralization of the university. I accomplished quite a few things at Berkeley while I was chancellor, but not on the basis of any authority I had, because I had none.

Fry: How did you do it, then? Just working through your faculty?

Kerr: Well, I worked very closely with the Academic Senate committees, but I worked in areas which weren't filled by the administrative bureaucracy, which reported to Sproul. The public relations officer on the Berkeley campus reported to Sproul; the dean of the graduate division reported there; the dean of students reported there; you know, just everybody. I had no control over the budget. I had no control over faculty appointments. Anything.

Kerr: So I moved into areas which were vacant really. I worked a lot on trying to improve relations with the City of Berkeley and negotiated how much land we would take, which had been an open issue for many, many years. I worked on a long-range physical plan for the campus at Berkeley, which is now the permanent one. About half the building space now at Berkeley was made under that plan, but nobody had made a long-range plan for Berkeley, the physical side of it. And I worked on developing an academic plan, the first in the university.

So I really became influential by working with the faculty in areas that were not covered by existing assignments of authority to the staff that was under Sproul. When I became president, the statewide administrative staff numbered something like eight hundred or a thousand people. They were the ones, all these clerks and junior administrators, who were making the decisions about the campuses and particularly about Berkeley. So I worked on important things, but really outside the administrative mechanism of the university. But that doesn't have too much to do with Earl Warren.

Fry: In other words, you operated by going around and finding the vacuums that you could fill in.

Kerr: I tried to find the important vacuums, yes, that's right.

Relations with the Burns Committee

Fry: I was reading a collection of Sproul clippings, and in that I got into some of this controversy over whether or not Communists could be allowed to speak on campus. You as chancellor said what I thought was a very good way of mediating the two sides and quieting down the thing, because you said, "Anybody who speaks here, rather than being cleared through the regents, can be cleared through me and the campus." Then, a few weeks later, the story came out that they were also being cleared by the campus police. Then the liberals were up in arms about that. Do you remember this?

Kerr: I sure do.

Fry: I was wondering what happened.

Kerr: This was during the period when I was chancellor. Sproul had made a deal with the Burns Committee, which took over from the Tenney Committee, that there would be a contact man on each campus of the university. The purpose of the contact man was to carry on liaison

Kerr: between the campus and the Burns Committee. The assumption was that this contact man would clear appointments with the Burns Committee, on the grounds that the Burns Committee had the best files on subversives.

Sproul appointed each of the chief campus officers--most of them were called provosts--to be the contact men. The only one he ever announced publicly was my own appointment, which was announced to hit the Daily Cal the day before I was to be introduced as chancellor of the Berkeley campus in Dwinelle Plaza. The headline was "Kerr is Contact Man".

Fry: I don't understand why that timing. Was this deliberate or accidental?

Kerr: Well, you ask yourself, "Why was I the only one ever announced? And why was the announcement made just in advance of my introduction to an assembly of students and faculty?"

Fry: He just didn't like that whole chancellor set-up, did he?

Kerr: Anyway, being a contact man during the McCarthy period with the Burns Committee wasn't the best way to be introduced to the faculty and students of the Berkeley campus. So I made a statement. This was when I got in my first battle with the Burns Committee, which went on until I was fired.

I said that I had been appointed as contact man by the president, but I'd had no contact with the Burns Committee, and I said something to the effect that I did not intend to have any. But if I did, it would only be after having had consultations with the faculty and the students at Berkeley on policies and procedures--a practice which I followed, absolutely, one hundred percent.

From that moment on, the Burns Committee was my enemy. They felt that I had repudiated Sproul's agreement with them. Sproul's agreement had been a private agreement, and I had publicly repudiated it. I learned about it myself first and made it public. I made it public in a particular way I'll mention in a moment.

But when I was the official contact man, the actual contact man was Bill Wadman, and Bill, a security officer, was maintaining contact with this fellow Coombs, who was a staff man for the Burns Committee. So I had a meeting, which involved--well, Sproul got involved at one point--but it involved Corley, and Coombs, and Wadman, and myself, in which we signed a statement saying that Wadman was not to be the contact man anymore.

Fry: Who signed?

Kerr: Wadman signed that, too, and Corley, that Wadman was not to be the contact man. Here I was, publicly supposed to be the contact man, saying that I would not make any contacts without having talked it over with the faculty and student leaders first. And here somebody else was doing the actual work, which made me look like an absolute fool. Then we issued this statement to the press, saying that Wadman was not going to be the contact man in fact when I was in theory.

The fact is (and I learned this after I became president) despite this public statement and the signatures, Wadman continued to be the contact man until I became president. Then, knowing that I was opposed to it--he now worked for me--he stopped being the contact man, which then became another thing which the Burns Committee held against me, that despite what the public record was Wadman had been their contact man, but that when I became president, he ceased to be.

Now I didn't realize that he'd continued to be after this public statement, but he was, and I have in my records someplace an affidavit of his saying he had continued to be sub rosa after the statement, because the Burns Committee accused me of having severed all connections between the university and the committee after I became president.

Now, Wadman never told me--you see, he couldn't very well say, "I signed this statement publicly, and I went on doing the same thing." He worked partly for Corley, and also would have to say that Corley signed a statement he didn't believe. The first time I found out about it was when the Burns Committee said that when I became president I made a change. So I said right away, "What change did I make? I did nothing." Wadman said, "Well, now that you are president, I knew that you wouldn't want it, so I stopped doing it."

Fry: Did Corley know that Wadman was continuing?

Kerr: Corley knew all about it, yes. So first of all, I was the public contact man but not the private one. He signed this public statement saying I'm to be both the private and the public, but Wadman kept on being the private guy and stopped it when I became president without telling me. Later the Burns Committee accused me of having stopped the system which Sproul had maintained throughout all his career, and thus they said I repudiated an agreement with the State of California, and then I discovered all the history.

Fry: What was Wadman doing? Did this involve what we would call surveillance?

Kerr: Yes. Wadman was doing two things. He was probably checking through with this fellow Coombs on the records of faculty people up for appointment. He also carried on some surveillance work too.

Fry: What an untenable position.

Kerr: Well, it wasn't untenable, but it was difficult, at least, to survive in. Some of the background on what eventually happened to me goes back to this series of episodes that I've mentioned. Burns and the other conservatives in the Senate felt that Sproul had made agreements on behalf of the university, which as chancellor and also as president I had refused to carry out. So they became my enemies, really, from almost the day I was chancellor. And really, a great deal of it was not of my doing.

A Loyalty Oath for All State Employees

Fry: Didn't Earl Warren oppose later the faculty members being reinstated who were dismissed on the loyalty oath controversy?

Kerr: I don't think so. No, I don't remember that at all. I don't remember Earl Warren taking any position on the back pay and reinstatement of the non-signers. He was opposed to their being fired, but I don't think he was really involved in that question. When did he become Chief Justice of the Supreme Court?

Fry: '53.

Kerr: After Eisenhower was elected he was made Chief Justice of the Supreme Court. I became chancellor as of July 1, 1952, and I don't remember his having been active in university affairs at all after that time.

Fry: I think what I was thinking about was the fact that Warren backed the loyalty oath for all state employees, which took effect later.

Kerr: Oh, yes, he did. That's right, he did.

Fry: It didn't quite make sense to me.

Kerr: As a matter of fact, one of the faculty points of opposition to the oath was that they were singled out as though somehow they were more suspect than anybody else. There was this proposal, which Warren endorsed, that it become a universal policy, but there was also an effort to put in an oath, stronger than just a declaration.

Kerr: You see, there's the positive oath saying that you support the Constitution of the United States. Then there is a negative oath. There was an effort to put in a [state] constitutional amendment in the fall of 1952, which was called the Levering Act oath. Earl Warren opposed that.

I remember that quite distinctly because I also opposed it publicly, not as a university official, but I joined with some other members of the Society of Friends to make a statement on behalf of the Quakers, opposing it. I got attacked by the Board of Regents for having done this. The then chairman of the board, Edward Dickson, actually took me by the coat lapels and shook me a bit, wanting to know why I would do a thing like that. I said, well, first of all, I thought the oath would be a very bad thing; second, I had done it as a member of the Society of Friends, and what I did as a private citizen was my own affair; third, I said, the governor of the state is also in opposition. Actually the Levering Act oath passed, but it was later declared unconstitutional.

Fry: I've forgotten all of those different oaths that we had then.

Kerr: Yes, it passed about two to one by the people of the state. I might say that another reason I took that position was that this was during the McCarthy period and I wanted by example to declare to faculty members that they didn't have to be as scared as most of them were, that you could still act freely as a citizen in the University of California.

Fry: Later on, then, when you were president, the whole thing got foggy again when the free speech area was--

Kerr: Yes. Could I come back on Warren, by the way?

Fry: Yes.

Kerr: A faculty committee nominated me as the first choice of the faculty for president. Well, I'd had my battles with the regents over a good many matters. I think, by and large, they'd come to respect me because I always took my positions and argued them out in the open. Also, Berkeley was recovering from the oath controversy. People were saying it was finished, etcetera, but there was forward movement. They'd seen and approved unanimously the physical development plan which I'd worked up, which was the first really good plan for any campus in the university, the academic plan, et cetera.

Kerr: But Sproul was really opposed. This was referred to incidentally last evening at the dinner party at the Cheadles', with [Tom] Storke [publisher of the Santa Barbara News-Press] and Warren there. Sproul was opposed to my being president. According to the stories, and again, as I heard last evening, Earl Warren talked to Sproul and told Sproul that he, Earl Warren, thought that Sproul should withdraw his objections and vote for me.

Fry: Really?

Kerr: Yes.

II THE FREE SPEECH MOVEMENT

The Issue of Twenty-Six Feet

Kerr: Then you were saying that I got into trouble later on, which is true. All in 1964.

Fry: Yes. I guess I still don't understand what started all of that. I was of course reading the Daily Cal every day.

Kerr: You're talking about the fall of '64?

Fry: Yes.

Kerr: It was started by Alex Sherriffs [Vice-Chancellor-Student Affairs].

Fry: Well, did the [William F.] Knowland political faction [for Goldwater] have anything to do with it?

Kerr: No, not directly, as far as I could ever tell.

Fry: What I'd heard was that they had brought pressure.

Kerr: No. What happened was that Alex Sherriffs--it's a long story, but Alex Sherriffs decided that twenty-six feet ought to be taken away.* Katherine Towle [Dean of Students] opposed it. Sherriffs persuaded

*This refers to the twenty-six by ninety foot strip of university property at Bancroft and Telegraph from which political activity was excluded as the result of Dr. Sherriffs' decision. For further discussion of this issue, see Katherine A. Towle, "Administration and Leadership," Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1970, pp. 198-208.

Kerr: [Edward] Strong [University Chancellor] to order Katherine Towle to issue the September 14th order.

Fry: Why did he want it to be taken away?

Kerr: I've got some theories. I don't have many facts to go on. I was out of the country at the time. I was in Tokyo when this happened. The first day I was back, just home from Tokyo, Al Pickeral, who was then a faculty member and also on my staff, said, "Have you heard what's happened at Berkeley? They've taken away the Sather Gate tradition." I said, "My God, that's a terrible thing." The only time in eight and a half years that I was president of the university that I went onto a campus the very day I'd heard they'd done something to tell them they'd made a terrible mistake and better take it back was that day. I had a meeting that afternoon, my first afternoon back, even though I was getting ready for a regents' meeting. I'd been away six weeks, and my desk was full.

I met with Katherine Towle, who never said a word. I mean, she didn't say that she'd opposed it. She was a very good sport about it, a very good soldier. She didn't say, "Well, I didn't agree with it either," which would have helped, if she'd done it, but Dick Hafner was there most of the time, Alex Sherriffs and [Chancellor] Ed Strong.

The reasons that I was given were these: one, that they'd had some complaints at the time of the Republican convention [in San Francisco] that students had been organized to picket at the convention and they'd been organized on the twenty-six feet; that this was a bad entrance for a campus to have, with all the tables around, that the Grayline sight-seeing buses were stopping to show it as one of the sights of the Bay Area, and this is bad public relations; and then, third, that Carl Irving, who was then a reporter for the Oakland Tribune, had been asking whether or not the twenty-six feet had ever been turned over to the city as the regents had voted it should be.

It was never done, which is a separate story by itself. There'd been some sabotage of that within the university. It still belonged to the university, and Carl Irving was asking the question, "If it still belongs to the university, how can it be used for these activities?" But it was not, as far as I could ever find out, that Bill Knowland ever put any pressure on. The only thing I ever heard about the Tribune was that Carl Irving had been asking questions. This worried the campus administration, that they might now be in trouble, not ever having turned it over to the city, you see. And so they did what they did.

Kerr: I think the greatest mistake in the history of the university was when Bob Sproul proposed the oath. The second greatest was when Ed Strong told Katherine Towle to issue the September 14th order, because anybody who knew that campus knew how sacred the sacred Sather Gate tradition was.

As a matter of fact, when we moved the campus one block toward Oakland*, without any faculty members asking me or any students asking me I went to the regents to have the twenty-six feet set aside for these same purposes. There was some dissent—which is part of the reason that the thing got sabotaged later on within the university administration—some dissent to it, but it passed with three no votes, and the regents had authorized the twenty-six feet to maintain the Sather Gate tradition.

So anybody knew that Berkeley, you know, valued that tradition, and particularly in the summer of '64, which was the long, hot summer in Alabama and Mississippi, the Goldwater-Johnson campaign was coming up, and remember Proposition 14 was on the state ballot**, which had to do with segregation and desegregation. To take it away without consulting with the faculty, consulting with the students, informing the state-wide administration, informing the regents, who after all had voted to make the area available, was just a crazy thing to do.

The big mistake I made was that I knew this was a horrible thing to have done; I wouldn't have gone on the campus the same day I heard about it if I hadn't known it was a horrible thing to have done. But when Ed Strong said he would not withdraw it (He said, "If I withdraw this, I'll lose face and I can't run

*The campus boundary was moved to Bancroft Street in the late 1950's, with the opening of a new entrance to campus necessitated by the construction of the Student Union and Dining Commons.

**Proposition 14, an initiative constitutional amendment on the November 1964 ballot, in effect repealed the Rumford Fair Housing Act and prohibited any future enactment of legislation barring racial discrimination in the sale of real property. It was adopted by the voters, but in 1966 the California Supreme Court ruled that it was unconstitutional thereby reinstating the Rumford Act. [Ed. note.]

Kerr: the campus the rest of the year." He was in trouble already with faculty and students, and he knew it.) out of respect for the autonomy of the campus--after all, I'd been the father of decentralization--and also with the feeling that we could set up some committees in consultation and gradually save Strong some face by a kind of a gradual retreat or some new formula, I thought, well, in two weeks or two months, we can get it worked out. What I didn't realize was that as soon as the students got back on campus--they weren't back yet on the 16th--we didn't have two weeks, we didn't have two months, we didn't have two days, because the whole atmosphere had changed.

So I made a very serious mistake in not ordering him to do it. He probably would have refused. And then we would have had to fight it out before the Board of Regents. The Board of Regents would have liked what he did because the board was a generally conservative board. But the board probably would have supported me because, after all, I had been with the board. I had been chancellor and president twelve years, and they'd been successful years. So my mistake was in not ordering him to do it.

Fry: Yes, well, of course, this was the very first time that the [civil rights] activism from the South had landed on campus.

Kerr: Yes, I know. It was the first time around. I think if I'd been around that summer instead of being in Europe and the Far East, I would have been more sensitive to it and would have moved faster. But I didn't know how hot the situation was and how much the sit-in technique had taken over: you know, as soon as you don't like something, you sit down. Instead of talking, you sit down first. I wasn't really alerted to this. I got back the night before from six weeks away.

Alex Sherriffs

Fry: I never have met Mr. Sherriffs. Was he the sort of a dean of students who worked closely with students?

Kerr: Alex is a very strange case. He was not dean of students. When I was chancellor, Hurford Stone was dean of students. Hurford was a dean of students of the old-fashioned type. I felt that the students at Berkeley were getting a very lousy deal in many, many ways. I went out, you know, to create the student union, to get residence halls and more intramural sports fields and get them

Kerr: more freedoms in different ways, etcetera. But I wanted somebody who was more sympathetic with students.

One of the most popular professors on the Berkeley campus with the students was Alex Sherriffs. He liked them, and they liked him. So when I was chancellor, he was a special assistant to me to handle student problems because Stone and I just completely disagreed about many, many things. Stone in effect reported to Sproul and followed Sproul's policies. Sherriffs reported to me and followed mine.

Then when I became president, Glenn Seaborg [who replaced Kerr as chancellor] asked Sherriffs to be no longer just a special assistant, which was, you know, working privately for the chancellor, but to be Vice-Chancellor, Student Affairs, which put him in the line of fire. So rather than being kind of the private friend of the students, he was now an authority, and the students began criticizing him.

You see, Slate began about that same year, '58-'59. Students began criticizing Sherriffs. In my analysis--he's a psychologist, I'm not--Alex began to change. When they started criticizing him, he went through some kind of a change from having been their friend. They were sort of in the process of repudiating him. He repudiated them and became a very hard line person. So by the summer of 1964, he wanted to take away the Sather Gate tradition. He started out being the students' best friend on the Berkeley faculty, or at least one of their best friends on the Berkeley faculty.

Fry: Maybe if he had been left then as--

Kerr: As a special assistant where he could have been their friend rather than the authority over them, it might have been different.

Fry: Was there anyone in a position like that at all when the Free Speech controversy blew?

Kerr: As a special assistant in that field? No, I don't think so, no. Sherriffs had taken on administrative authority, and there was nobody quite like that.

Reflections on Earl Warren

Fry: Have you kept contact with Earl Warren through the years?

Kerr: I've seen Earl a fair amount, yes, in Washington, and when he'd visit California. And then when I was dismissed, he was quite



Kerr: upset about it. He talked with me about it, said he was glad that none of the regents he'd appointed had voted against me. No single Warren appointee had voted against me. Now Ed Carter was a Warren appointee, but he'd been reappointed by Pat Brown, so Warren didn't count him. He said, "No one of the regents who was on the board by my appointment voted against you."

Then the faculty had this convocation in the spring of 1967. Richard Hofstadter came out from Columbia, and Ken Galbraith from Harvard, and Warren came. It was sort of their reaction to my being fired. It was a reaction to other things, too. Warren, after all, came out to speak to that. I saw him at that time. I didn't go to the meeting because I didn't want to cause trouble for the guys who were trying to run the place, as I still have been trying not to cause them trouble. But I saw Earl afterward, and he said he'd come out because of his concern about the university and what was happening to it and my dismissal.

Fry: Now, one of the big questions as we work more and more on his career and California politics in general is whether as a man he actually has been fairly consistent in his points of view on human rights.

Kerr: My impression is that he shifted more and more in the direction of equality of treatment and freedom of speech. Rather than moving in a more conservative direction as he got older, he moved in a more liberal direction, which means that he maintained a flexibility rather later in life than most people.

Fry: Do you think he led the opposition to the loyalty oath out of his own convictions?

Kerr: I think so, clearly. There was nothing to gain politically for him. In fact, he could only lose that way. I would say that it came out of two things. One was his intense loyalty to the University of California. The controversy was just absolutely tearing the university apart, the faculty versus the regents, and a lot of unfriendly public opinion was being created.

Second, I would think that from his overall attitude, he would have had grave doubts about the wisdom of it anyway. There may have been a third factor, that Bob Sproul was a real good friend of his and Sproul was in this immobilized position, so Earl Warren stepped in to give the leadership toward a solution that normally the president of the university should have given.

Sproul, as I said before, was just immobilized. He wasn't able to act because he'd proposed the thing. Sproul had a tendency anyway



Kerr: in a tight conflict situation--I saw this on many other occasions--to just sit tight and do nothing, not move one way or the other, which is true of a lot of people. They do become immobilized. Warren took over the leadership that normally you'd expect the president of the university to give.

Fry: This is interesting. Sproul got into his trouble because he wasn't aware of what the faculty really felt about this. And the Free Speech blew--

Kerr: Because I wasn't aware enough of the changed student attitudes, that's right. Had I known--you know, it's awfully hard to really go back and say what you would have done, if you had a chance to do it again. Of course, at the time you take an action, you don't know what's going to follow. You can only guess. The question of autonomy would still have bothered me considerably.

I can't say that I didn't realize that something was coming because in either June or July of that year, I told the chancellors at the monthly meetings of chancellors that I'd started, that I thought that this next year, which would have been '64-'65, could very well be a tough year with the students and that I thought they should be extremely careful not to themselves create any causes for difficulty, which is exactly what Strong did. But I did alert them to the fact that I thought the situation was becoming tighter, out of the civil rights situation, that they should be very thoughtful in whatever they did in relation to the students, not to give cause for any outbreaks. So I can't say that I was completely without some warning that the situation was getting tougher, but I hadn't been around during that summer.

Fry: But of all things, to have this free speech area removed. As you look back on it now, it's just unbelievable.

Kerr: Well, it was unbelievable at the time. As soon as I heard it, I said, "My God, nobody could be that stupid, could they?"

The Role of Chancellor Edward Strong

Fry: Well, I guess the personal factor enters in and causes a lot of things like this, which is unexplainable in terms of administration and public reasons and things like that.

Kerr: Why Strong did it, I don't know. He after all had to choose between Sherriffs and Towle. Among other things, he just could have done



Kerr: nothing, rather than choose the Sherriffs point of view.

I've never been quite sure why Strong did it. One hypothesis is that he'd spent some time at a philosophy conference in Hawaii and had come back really tired from it. Sherriffs pushed him hard on it and he just gave in without thinking too much about it. Another hypothesis, and a harsher one, is that Ed knew that he was in trouble with faculty and students. I'd had a good many protests from faculty leaders and students that Ed wasn't really giving the leadership he should.

As a matter of fact, we'd had some discussion informally within the Board of Regents that he should be dismissed as chancellor. Whether he knew that, I don't know, but at the October meeting of the regents, which was the first meeting after all this had happened, one of the regents raised the question and said, "Well, we've been thinking of getting rid of him anyway. Why don't we get rid of him right now?" I said, "Oh, I think this'll all be over by Christmas. The normal time to tell a person is about Christmas. You still have six months to go, and it still gives us time to get somebody else."

Now, the harsh interpretation of what Ed Strong did would be this: he knew he was in trouble, and he decided to move into a popular political position, which would be fighting the student activists. Those are two hypotheses. At least the second one is consistent with the facts because he kept always moving toward the support of the Tribune, the support of the most conservative regents, the support of the most conservative alumni. Rather than move in the direction of solving the problem, he always moved toward this support.

Fry: Was he himself personally conservative in his political outlook?

Kerr: He had not started out to be that way. Most faculty members, you know, carry an aura of liberality around them. It's the popular thing to do.

Ed was quite a rigid person. Another explanation of why he acted as he did when things broke was just this rigidity. For example, when the students first protested, he wouldn't meet with any students or faculty about it at all. That's how I had to get in.

You see, Ed was asking for the National Guard. I then had called [Governor] Pat Brown asking for the National Guard.

He said, "I won't give it to you. I might give you the Highway Patrol, but I won't even give you that unless somebody talks to somebody else first."



Kerr: I said, "Well, Pat, I agree with you."

He said, "Well, I'll make the Highway Patrol available only if you will personally promise me that if there's a chance to talk, you will talk, as president." And then the chance did come because when Ed wouldn't talk to anybody, the student leaders and the faculty leaders appealed to me, wouldn't I step in, rather than have these six or seven hundred police start using their clubs. I did step in. Then it became my baby. But he refused to talk.

Fry: Yes, this seemed to be the frustration, as viewed from the sideline.

Kerr: Yes, he just refused to talk. Now that could tie in with rigidity. It could also tie in with the idea that this was the popular position to take, and that the guy was in trouble and he went toward a popular position. I prefer not to think that, but it's consistent with what happened.

Fry: Did the regents at any time consider restoring the twenty-six feet around October?

Kerr: Well, actually by November we had in effect restored the twenty-six feet.

Fry: Oh, yes, there were several points of agreement passed.

Kerr: That's right. The thing that got us in trouble in the process of passing them was that Strong was against the liberalization. He also wanted to be sure the students were penalized who'd been involved. I had to accept, in order to get the liberalization of the rules, to get the twenty-six feet back again, I had to accept that. Those regents who were siding with Strong didn't want to repudiate him, both on the rules and on the penalties.

Now there's something to be said for this: somebody's violated a law; they ought to pay for it. The thing that caused the trouble was the regents' statement that the chancellor was to go ahead and hold the disciplinary hearings, which was a long time after the event. That's what caused the march into Sproul Hall. If we'd stood just on the change in the rules, the whole thing would have been over. What happened was Strong's insistence, as a matter of legality and morality and so forth, that the students had to be punished, and that's how it erupted again.

Fry: Did you deal any with [student leader Mario] Savio?

Kerr: Almost none. Because, after all, I was president of nine campuses.

Kerr: We were still getting Santa Cruz and Irvine ready to open up in the fall of '65. We were passing a bond issue that fall, and I was all over the state trying to pass it. The bond issue did pass.

Fry: Just in the nick of time.

Kerr: No. As a matter of fact, we passed one the fall of '66, when Reagan was running against the University of California. We did pass it. I went all over the state. I was the only person who was convinced it could be passed and the only one who did any work on it. The state colleges thought it was going to fail, so they didn't work on it. The chancellors did some work, but not a great deal. I was the one that did most of the work, fall of '66.

Fry: And one was defeated—

Kerr: Defeated the fall of '68, yes. But then nobody worked for it in the fall of '68 at all.

Fry: Yes, I know most people didn't even realize--

Kerr: That it was up.

Fry: I think we are about to land. Thank you. It's been a productive flight.

Transcriber: Arlene Weber
Final Typist: Marilyn White

INDEX -- Clark Kerr

Berkeley, City of, 8
Brown, Edmund G. "Pat," 19, 21-22
Burns Committee, 8-11

California Highway Patrol, 21
campaigns
 1952 and 1956, 5
 1964, 14
Carter, Ed, 19
communism, 4-5, 8-9
Coombs, Richard C., 9-11
Corley, Jim, 5, 9-10

Daily Californian, 9
Davis, Angela, 5
Dickson, Edward, 12

Eisenhower, Dwight D., 11

Free Speech Movement, 14-23

Galbraith, Kenneth, 19

Hafner, Dick, 15
Hofstadter, Richard, 19

Irving, Carl, 15

Kerr, Clark, 1, passim
Knowland, William, 14-15

Levering Act, 12
loyalty oath, 1-13

McCarthy, Joseph, 5, 9, 12

National Guard, 21

Neylan, John Francis, 2, 3

Oakland Tribune, 15, 21

Pickeral, Al, 15

Quakers, see Society of Friends

Reagan, Ronald, 23

Savio, Mario, 22

Sherriffs, Alex, 14-18, 20-21

Slate, 18

Society of Friends, 12

Sproul, Robert Gordon, 1-3, 5, 7-9, 11, 13, 16, 19-20

Stevenson, Adlai, 5

Stone, Hurford, 17-18

Storke, Tom, 13

Strong, Edward, 15-17, 20-22

Tenney, Jack, 1, 5

Towle, Katherine, 14-17, 20

University of California

Board of Regents, 1-4, 6, 8, 12, 16-17, 19, 21-22

budget, 1, 5

decentralization, 2-3

Clark Kerr as president, 7-8, 10-12, 14-23

University of California, Berkeley, 1-2, 4, 6

Committee on Privilege and Tenure, 3-4

Clark Kerr as chancellor, 6-12, 17-18

University of California, Los Angeles, 2, 4-7

Wadman, Bill, 9-11

Warren, Earl, 1, 3, 8, 11-13, 18-20



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Earl Warren Oral History Project

Adrian Kragen

STATE AND INDUSTRY INTERESTS IN TAXATION,
AND OBSERVATIONS OF EARL WARREN

An Interview Conducted by
Gabrielle Morris



Adrian Kragen
May, 1976

TABLE OF CONTENTS - Adrian Kragen

INTERVIEW HISTORY	i
I JOINING THE ATTORNEY GENERAL'S OFFICE IN 1939	1
<u>Deputy Attorney General for Tax Matters</u>	1
<u>Court Appearances</u>	6
II STATE FISCAL AUTHORITIES	10
III POLITICAL ISSUES AND ATTORNEY GENERAL WARREN	15
<u>The Republicans v. Governor Olson</u>	15
<u>World War II Begins: Civil Defense and Japanese Relocation</u>	16
IV 1942 CAMPAIGN FOR GOVERNOR	20
<u>Warren Announces His Candidacy</u>	20
<u>Observations of the Campaign</u>	23
V CONTRAST IN STYLE: ATTORNEYS GENERAL ROBERT KENNY AND EARL WARREN	27
VI LEGISLATIVE REPRESENTATIVE FOR THE MOTION PICTURE AND OTHER INDUSTRIES	31
<u>Employee Insurance Legislation</u>	31
<u>Contacts with Governor Warren</u>	35
VII THE CHIEF JUSTICE'S LAW CLERKS	39
VIII A NOTE ON NINA (MRS. EARL) WARREN	43
INDEX	45

INTERVIEW HISTORY

During the planning of the Earl Warren Oral History Project, Adrian Kragen was an early and helpful advisor from the Boalt Hall School of Law. In informal conversations from time to time, the Regional Oral History Office learned that he had, indeed, been a member of Earl Warren's attorney general staff and had kept in touch with the Warrens over the years.

This brief introduction was recorded on 16 January 1975 to preserve Mr. Kragen's recollections of his work as deputy attorney general for tax matters, and subsequent events. In it, Mr. Kragen conveys a sense of warm appreciation for the opportunity of knowing Warren and of his affection and concern for Mrs. Warren.

A compact, energetic person, Mr. Kragen made time in a busy schedule to talk about old times in his small office on the top floor of Boalt Hall, surrounded by stacks of legal papers and reports, a green eyeshade perched on his brow seeming to help him pick the appropriate incident from his memory. He described Warren's careful supervision of the responsibilities of the attorney general's office and some of the political issues of those early years of World War II, and touched briefly on contrasts with the attorney general's office under Robert Kenny, with whom Kragen also served.

A shorter portion of the interview, although a larger portion of Mr. Kragen's career, is devoted to recollections of his work as legislative representative for the motion picture and other industries. Serving as technical expert on tax matters and unemployment insurance for employers, he continued to have contact with Warren as governor during years of some lively efforts to expand insurance coverage for employees. In 1952, Mr. Kragen joined the law school faculty, later screening candidates for law clerk from western schools for the Chief Justice, and continuing to keep his hand in as legislative representative for a few clients as well as serving on a variety of civic committees.

Gabrielle Morris
Interviewer-Editor

17 January 1977
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I JOINING THE ATTORNEY GENERAL'S OFFICE IN 1939
(Date of Interview: 16 January 1975)

Deputy Attorney General for Tax Matters

Morris: You were really a great help in advising us on the early stages of the Earl Warren project. Thank you for making time in your busy schedule to talk with us now about your own work with Warren when he was Attorney General and Governor.

The place to start, I think, would be: how did you happen to join the California Attorney General's office?

Kragen: Well, I was--I guess you'd say--one of Roger Traynor's protégés at that time, when the Chief became Attorney General in 1939. I was appointed as special Deputy Attorney General, to work with the tax department. Warren, wanting to beef up the tax department, asked Roger, who was then a professor of law at Boalt, to get two people for him, and he got Valentine Brooks and me. When we came into the Attorney General's office--I had never met Warren, even though he was a good friend of my wife's father.

Morris: That's interesting.

Kragen: I had never met him at all, just knew of him. I went over to the AG's office at Roger's suggestion; met the Chief, and he said, "I hear you're interested in coming into the tax department in this office."

I replied, "I am."

He said, "Do you think you can do the job?"

I answered, "I think I can." That's all we said.

I was a Democrat. Maybe he knew it, but he didn't ask me; and he didn't ask me anything about my family or anything. Six months later, he asked me one day when a group of us were walking down the street on our way to

Kragen: lunch, "Adrian, why didn't you tell me you were Harry Bercovich's son-in-law?"

I said, "I didn't think it was important." He and Harry had been very close, Harry had served on his grand jury and other things, and they were good friends.

Morris: Mr. Bercovich was an Oakland businessman?

Kragen: That's right, yes.

Morris: And he'd been active in Oakland and Alameda County affairs?

Kragen: That's right. He was a friend of Warren's. He supported him, and he didn't know--[laughs]

Morris: Was your father-in-law a Democrat?

Kragen: I think he must have been a Republican. I'm sure he was.

Morris: I understand that in the thirties, most of Oakland was pretty--

Kragen: Yes. I'm sure he was a Republican, but I really didn't pay much attention to it. My whole family were all Republicans. I just was a Democrat because I liked the people who were running. I've never been very much of a party man one way or the other. But Warren didn't pay any attention to it.

Morris: That's one of the comments that's made again and again, that he really practiced a bi-partisan, or non-partisan approach.

Kragen: Yes. He certainly did.

Morris: Did he outline what he had in mind, as to the tax section?

Kragen: Well, I had had some of that from Roger Traynor previously, but mainly he said that he wanted to have a fine tax department, that he wanted people who were really interested and willing to work in it, people who could do a good job. He said, "Traynor said you can do a good job."

Morris: Had Traynor been one of your professors here at Boalt?

Kragen: Oh, yes. I went to law school because of Traynor. I

Kragen: never intended to go to law school, but I took the first undergraduate course he taught when he was first appointed to the faculty, and I thought it was so great, I decided to become a lawyer.

Morris: I see. He was teaching an undergraduate course, not--

Kragen: He taught Juris 10 A, B which was Blackstone in those days. I took it because somebody had told me it was an easy course. But somebody else had taught this the semester before, not Roger, and it wasn't an easy course, but I loved it.

Morris: So he was a teaching assistant at that time?

Kragen: No, he had gotten a PhD and JD here, at the same time. I think maybe he received the PhD first. I worked with him when I was here. I became very close to Roger.

Morris: What were the tax issues that appealed to Mr. Traynor and yourself?

Kragen: Well, Roger was interested generally in the theory of taxation. I really wasn't as scholarly. I was sort of interested in the fact that tax was a fun subject to work with, and I liked the type of thing one did, and the fact that one had to put the pieces together.

The Attorney General's office gave you a great opportunity to get at all phases of it, because we had everything there. We had personal income tax, and corporate tax, and sales tax, and property tax. One of my jobs in the office was to handle property tax matters; even though they were local, we still handled a certain number of them--I did.

Morris: In what way would you handle property tax?

Kragen: In the first place, I was the advisor to the state controller, who had the tax-deeded land program--property which had been deeded to the state because of non-payment of taxes under our system. And then, I was the advisor, through the district attorneys or county counsels, to the county auditors and tax collectors. They asked questions, and the DA's or the county counsels then directed them to the Attorney General's office, and my job was to answer the questions.

Morris: Which counties, particularly, would have come for advice?

Kragen: Oh, all of them. Every one of them, I think. During the four-and-a-half years I was there, I think every county had some questions that came up. And then, I talked every year at the yearly meetings of both the auditors and tax collectors. So that I had quite a lot of contact with them.

There was a lot of work. I was in every court--that was one thing the Chief did. He really gave you great opportunities to participate. He gave you a job to do, and you did it, and he didn't take over the fat plums himself. You know, that's true of some officials in office. In the Supreme Court of the United States, they'll take the case. They'll get there and argue it. You'll prepare it and they'll argue it.

Morris: You do the work, and they go into court.

Kragen: And that's true of some law firms. But the Chief let you do it. I mean, I had great opportunities. I was in every court in the State of California, and in the Supreme Court of the United States, frequently.

Morris: Yes. I see your commission to practice before the Supreme Court on the wall.

Kragen: Well, actually all you need to do is pay twenty-five dollars and you get that.

Morris: You were admitted to practice in 1942.

Kragen: I guess it was the 1941-1942 term; yes. In 1941 I was injured; I was out of the office three months.

Morris: Oh, dear. Not in the line of duty--?

Kragen: In the line of duty. [Laughs.]

Morris: Really? Is that a story you'd like to tell us?

Kragen: It was nothing. It's just, I was--I went to Sacramento one day every week, and this particular day I was ready to come home, and the County Auditor of Alameda County, who was then president of the auditors' association, wanted to talk to me about a problem. He said, "How about driving back with me?" I usually took the train, but that day I drove back with him, and, unfortunately, somebody ran into us, and killed him and injured me.

Morris: Good heavens!

Kragen: And burned himself to death. So it was one of those things. It wasn't pleasant.

Morris: The main office was in San Francisco in those days?

Kragen: Yes. In those days, the Attorney General's main office was in San Francisco, and we also had an office up in Sacramento and another one in Los Angeles. I had lunch with one of the fellows who was in that office with me, yesterday--we decided we must have had about seventy lawyers, I'm not actually sure.

Morris: In the whole department?

Kragen: In the whole department. Today they have two hundred and six, I think. (I understand there are over 400 but I do not really know.)

Morris: That's interesting.* And there were permanent staff in the Sacramento office and the Los Angeles office?

Kragen: Yes.

Morris: You were a Deputy Attorney General, and you would go to the different offices regularly, or just when needed?

Kragen: Well, no. The arrangement the Chief had worked out--I think it probably was worked out before he came in--was that one of the tax deputies would go up to Sacramento once a week to meet with the people he worked with in the controller's office and the Board of Equalization and the Franchise Tax Board. I'd spend a day going from office to office, and talking to them about problems that had come up since I was up last time.

Morris: Sort of the routine, flow of business--?

Kragen: That was one way they had of satisfying these people that they were getting some service, and still keeping the main office in San Francisco.

*Asked on the transcript how many were deputies for tax matters in his day, Kragen replied: four.

Morris: What was the thinking on the main office being in San Francisco?

Kragen: I think it was the same as the Supreme Court. They like it better. [Laughs.] That's all. In fact, when Bob Kenny came in--one of the reasons I left the office was that Bob Kenny sort of decided that he was going to move the heads of the various departments--and I was head of the tax department--up to Sacramento because the head-of-the-office people should be in Sacramento; and nobody liked it, and it never happened, but he announced he was going to do it. [Laughs.]

Morris: I see. That's interesting.

Kragen: And Warren never did it. Warren just went along, and we operated out of San Francisco, although he was in Sacramento a lot--you have to be. There's been pressure, you know, to get the Supreme Court to move up there.

Morris: Well, I've been aware of it with some other departments. I know the Department of Public Health has always been in San Francisco or Berkeley, and I gather there's been, over the years, some hassle, as you would use that word--

Kragen: There's a lot of pressure for Sacramento from--the legislators are up there, you know, and they like to have the people around, and the Sacramento Chamber of Commerce pushes, I'm sure, and everything. But, our main office and most of our work was in San Francisco.

Court Appearances

Morris: Going back to the court appearance part of it, did Warren ever appear in court on a matter of particular concern?

Kragen: I can't remember. I have a sort of vague recollection that he was in the Supreme Court on some matter once, when there were a lot of political problems involved, but I'm not absolutely sure. I have a recollection, that on some really important matters he appeared, but he didn't appear in court otherwise.

By that time--he was not a trial lawyer, or an appellate lawyer. He really was the administrative head of the office and acted that way.

Morris: Why is there a need for the Attorney General's office to go to court? Is this an adversary kind of thing?

Kragen: Oh, yes, sure. For example, the Attorney General's office handles, in my field, all of the defense of all of the state tax cases, with the exception of the inheritance tax, and gift tax, which have their own set of lawyers. We handled all the sales tax cases, both the collection and refund cases, all the corporate income and franchise tax and personal income tax, all the gas tax cases, all the motor vehicle transportation tax cases--all that stuff--private car tax cases, all of them are handled by the Attorney General.

The Attorney General also handles all the appeals in criminal cases. They have seventy people now, they told me yesterday, in the office, handling nothing but criminal appeals.

Morris: Would that have been your territory?

Kragen: No. That's not mine. I don't know anything about criminal appeals.

Morris: Who handled the criminal appeals when you were there?

Kragen: Well, they had staff. I think in my day, the Chief had everybody but the tax department handle them. They spread them around. But the tax department, he just thought we were--well, of course, we were so busy. We were the busiest single department in the office, and secondly, he just didn't think we should get into that stuff, I guess.

Morris: What kinds of issues would make you go to court, in a tax case?

Kragen: Well, for example, Standard Oil sought a refund of gas tax paid. In one case, I went to the United States Supreme Court on the question of whether post exchanges are instrumentalities of the United States for the purpose of our right to collect gasoline tax.

Morris: If they were federal government, they would not have to pay state taxes?

Kragen: That's right. And they were so held. We lost the case. Another case, a question of the Belt Line railroad, which now is part of the Port of San Francisco--city, but was then the state. The question was whether

Kragen: the federal government could levy a tax on the transportation by the state Belt Line railroad.

We had numerous sales and use tax cases. In DeAryan vs. Akers, which is a very famous case, the question was whether the state Board of Equalization could set a bracket system, so that over fifteen cents, you charge one cent, under fifteen cents, nothing. So it wasn't the exact percentage set forth in the statutes, but it was by brackets. The California Supreme Court held the bracket system was valid.

We had such things as the question of whether dividends from the stock held by the Southern Pacific were taxable in the state of California, since Southern Pacific was a Kentucky corporation, but had its principal place of office in San Francisco. That's the type of thing we had, together with a lot of minor cases. I had one involving the question of whether there was a sales tax on the sale of chinchillas for breeding.

Morris: Oh, my heavens!

Kragen: We went to the district court of appeals on that, and then the state supreme court refused a hearing. And, you know, this--

Morris: The whole matter of chinchilla breeding had some question of whether it was--

Kragen: Sale of tangible personal property. And they argued it wasn't; it was a sale of services.

Morris: Wasn't it also a kind of a faddy thing? You were supposed to be able to make a million dollars breeding chinchillas.

Kragen: Oh, yes, sure. You were going to make a fortune. As far as I know, nobody made anything. Sure. There was an outfit called Chapman Chinchilla Farms, which was selling these chinchilla pairs to people all over the state and the country.

Morris: Was the question ever raised as to whether there was fraud or misrepresentation on this business offer?

Kragen: No, not in that question. That wasn't my baby.

Then on these questions of tax-deeded land, I had a lot of cases on the question of whether the local

- Kragen: assessors and tax collectors and auditors had done the proper thing in handling the assessment or levy of tax on property which was subsequently deeded to the state.
- Morris: You were handling these in 1939-40, the end of the depression--did the state take over a considerable amount of property for non-payment of taxes?
- Kragen: Well, the tax-deeded land cases tapered off a great deal because of the change in the economy. But the rest of the problems, I would say, increased. We got rid of a lot of the constitutional questions in the sales tax, early. So they were pretty mundane after that, but the other questions, the questions in the franchise and personal income tax and some of the other questions still kept up. And it has been, always, a very busy office, in the tax area.

II STATE FISCAL AUTHORITIES

Morris: I can see that. You said that you had weekly contact with the Franchise Tax Board and the controller's office--

Kragen: Every week, yes.

Morris: And the Board of Equalization. Who would decide whether you were going to go to court or whether it would be settled by negotiation?

Kragen: Generally, we would decide, finally. But the fact was that unless we felt very strongly that the matter should be cited, we'd drop it. If the Board of Equalization, for example, decided it was something they didn't want to have tested this time, we'd usually do what they wanted. Normally, they'd take our advice on whether to file an action or defend one. Once or twice there were some political pressures and they didn't want to do anything, but we went into the Chief and he told us to do what we thought was right. We said we wanted to go ahead, and we went ahead on it. I remember on one involving Pacific Greyhound Lines, we went ahead.

Morris: What kind of political pressures would these be?

Kragen: Well, the Greyhound people thought the cases were "outrageous". They had people approach them, I guess. I don't know. I just know that we got told that, well, they thought that probably we shouldn't go ahead. Once in a while it was the other way; the board thought that we would lose the case, and that they would probably be worse off if we lost it, because of the repercussions on other tax levies.

Morris: That would be a consideration.

Kragen: On the other hand, I remember when Warren was running for governor the first time, the newspapers tried to pressure him into having me drop a case which ultimately might have caused them to have a heavy tax burden. He

- Kragen: just told them that he thought it was important that we go ahead, and that was their answer.
- Morris: What kind of a financial burden would there be on the newspapers?
- Kragen: We were taking the position that we would collect use tax from the printers. I had advised the board that, if the court went against us on that case, under the language of the sales tax legislation, we would have to go directly against the newspaper publishers and charge sales tax on their gross sales. And they didn't want that. We happened, luckily, to win the case, and we didn't have to go against them. And then they changed the law, actually, to take care of it.
- Morris: To the publishers' advantage?
- Kragen: Yes.
- Morris: The Board of Equalization later became quite controversial. Did you have any forewarnings of this in liquor license matters?
- Kragen: The Board of Equalization doesn't handle liquor licensing any more.
- Morris: That's true, but in the late 'forties--
- Kragen: Well, I wasn't involved with that. I was out of the office by that time. I had no problems; other people did on the liquor tax. I never had anything to do with the liquor end of it.
- Morris: By 1949, the press was having a field day with these Board of Equalization troubles, and the newspaper articles I read indicated that this had been going on for some years.
- Kragen: Yes, sure. It was always--you know, the way it was politically set up. During part of that period, the fellow who ran away to Mexico--Bill Bonelli--was on it, and he was a very political animal. Stewart was on it, also a very political animal--a very nice guy, but very political. And they were much more susceptible to things than I think the board has been since.
- Morris: Weren't there charges that there were, quote, "criminal connections and associations"?

- Kragen: That was on Bonelli. But they didn't get that far on anybody else. It was always a very controversial group, but in the area I was involved with, really, we didn't have that problem, largely because Dixwell Pierce, who was the secretary of the board, was a very steadying influence. He was a good tax man, and he was a very steadying influence in the tax field.
- Morris: In other words, he moderated--
- Kragen: Yes. He kept the board pretty much on an even track in this area.
- Morris: I see. I also have heard some comments that Mr. Bonelli, in earlier years, was well thought of as a good tax man. Did you have any contact with him?
- Kragen: Oh, yes. He was a very good tax man. He was a professor of political science, I think, or in government--
- Morris: In Southern California?
- Kragen: Yes, sure. That's where he came from. He was all right. He just got to be quite a political character and a free spender, free-wheeler. He got corrupted by Sacramento, probably. [laughter]
- Morris: Was Mr. Pierce a career employee?
- Kragen: Yes. He was a graduate of this school [U.C.] and Roger Traynor put him into the Board of Equalization, or helped put him in. I don't know.
- Morris: Was he in a civil service exempt spot?
- Kragen: I think not. The secretary probably was appointed, but he got reappointed all the time. I'm not absolutely certain of that.
- Morris: That's an interesting comment that the top career man can exert quite a lot of influence on the board.
- Kragen: Oh, it does. See, these people have to have guidance-- Dix was a very good man, and he guided them very well. It's true now. They get a lot of guidance from their top people.
- Morris: Was this kind of relationship evident in the controller's office and the treasurer's office?

Kragen: Well, the treasurer was a--I don't know. The controller's office was a fairly political office in those days. I really can't say; it was a different operation. The controller sat on the Franchise Tax Board--well, I guess not at that time. They had a franchise tax commissioner then, Charlie McColgan, but the controller's office was more political. It was supported by the appraisers. They were its political and financial assistants. So it was a different set-up. Much different.

Morris: What about things like the Highway Commission and the Horse Racing Board? Did they ever come to you--

Kragen: No, I had no contact with them. None at all.

Morris: Was that because they were special funds with earmarked revenues--like the gas tax which went right back into highway construction?

Kragen: I never was concerned with the spending of money. I was only concerned with the collecting of it. And the Chief had--I don't remember who he had handling highways in those days.

Morris: Reading some of the textbooks on California government, they talk about the issue being a choice between the equity of who pays what, in terms of taxation, balanced off against the state's revenue needs. Is that a concern in how the tax division--

Kragen: Oh, I don't really think so. We had, by far, the best-administered tax system in the country, of the state tax systems, largely due to the way the various offices operated and the way the Attorney General's office operated. Traynor was the advisor to the Attorney General, as well as the advisor to the Board of Equalization, and we had a very broad, pretty equal sort of a system.

Groups argued that the sales tax was regressive, and hit the small man too much, but the arguments weren't really very heavy. Our biggest arguments, I guess, were probably on the Bank and Corporation Franchise Tax Act, on how big the banks and financial corporations should be taxed--what could we do under the federal law, and how should we do it? And the insurance companies have always gotten a special break; still do.

Morris: What's the history of that? Isn't it gross premiums they're taxed on?

Kragen: Gross premiums, yes. Well, the theory was to encourage (I guess. It was long before I was into it.) but the theory was to encourage people to protect their future, their families by insurance. Make it so that they could get insurance at a lesser rate. And also, probably, the insurance lobby was pretty strong when it first came in, when the constitutional provision came in.

Morris: That's interesting. In other words, there's a sense that the insurance industry maybe was more powerful than banks or corporations-- ?

Kragen: Well, you see, I don't think that's necessarily true. But the fact is that that went in very early, at a time when the tax on other organizations wasn't very heavy either. But they got the rate in the constitution originally, and others just weren't smart enough to get it in the constitution, probably. I don't really know the background.

Morris: Did you get involved at all in tax legislation?

Kragen: Yes, the Chief made me watch it, and I went up--I drafted bills for the controller and our office had something to do with the drafting of various tax measures. And we sometimes joined with the other departments in supporting something which we thought was important for us in enforcement in our end of the thing.

Of course, when he became Governor, for his first term, the Attorney General's office had me go up to Sacramento and work on the various tax bills, and give the Governor memoranda on any bill that was coming to his desk.

Morris: From the legislature.

Kragen: From the legislature. I wrote memoranda on whether the bill was good, bad or indifferent, and what was good about it. I did all that type of memorandum for Warren when he was Governor. So I was involved in tax legislation then.

III POLITICAL ISSUES AND ATTORNEY GENERAL WARREN

The Republicans v. Governor Olson

Morris: Did members of the legislature ever come to the Attorney General's office and discuss some of these issues on tax legislation?

Kragen: Oh, yes. Once in a while, when they had something which they thought the Attorney General would get involved with, they would come.

Also, while Warren was Attorney General, he was the leading Republican. We had a Democratic governor, and so frequently, when there was a political battle, the Republican legislators would come and talk to him about it.

Morris: Not necessarily on tax matters or--

Kragen: No, on anything. Anything they thought they might be-- because he was, really, the hope of the Republican party in California at the time.

Morris: Because he was Attorney General?

Kragen: No, because he was the only Republican in state office who got elected. That is, not the only one. The secretary of state was Frank Jordan, and Gus Johnson was the treasurer, and they were both Republicans, but they really didn't count in the overall picture.

Morris: How come?

Kragen: They weren't important offices. They were people who'd been elected many times, and just routine. Here Warren had carried--in a tough fight. The other two hadn't had election fights, you see, and they weren't leaders.

Morris: But they had both been in office a considerable length of time.

Kragen: For a long time, yes.

Morris: Why didn't anybody challenge them? In view of the fact that people have used both these offices--

Kragen: Yes, but nobody ever used them in those days. The treasurer's office really should have been abolished, as it still should, and the secretary of state's office was a minor office. It really did very little. And these were people who just were satisfied to let it go along on its own way. They weren't using it as political stepping stones. [Laughs.]

Morris: It's interesting how things change over the years.

Kragen: Yes, that's right. Sure.

Morris: We've picked up a couple of comments that there were some questions on the legality of the handling of state banking by the treasurer's office. Did this ever come to you?

Kragen: It didn't come to me, but in that period, it was sort of a "Who's my friend?" system, and there were a lot of questions, but I didn't have anything to do with them, and I don't know anything about them.

Morris: Would this be because of the state of the art, or--

Kragen: No. As I understood it, purely by rumor, under the constitution, Johnson had complete control of where he put the funds.

World War II Begins: Civil Defense and Japanese Location

Morris: You said that the legislators would come to Warren on questions they had about dealing with Olson. How did this shape up? What were the primary issues?

Kragen: There were all sorts of issues. I can't remember specifically what the issues were--because I really wasn't involved with that, but we had an awful lot of issues with Olson as to the way he handled things, and the way Warren and the Republicans generally thought they should be handled. The only things I got involved with Olson were when Warren had us go up to meet with Olson on some opinions we wrote on sales tax on planes sold to the British government--this was during the war--

- Kragen: so we went up--but never did see Olson. In fact, we walked out on him, because he kept us waiting, and we said we didn't have to wait for that guy. [Laughs.]
- Morris: Oh, dear.
- Kragen: There was no love lost between Warren and Olson. At all. Warren--
- Morris: Was this as men who had a different view of life, or was it being of different political parties?
- Kragen: Well, I think Warren didn't think Olson was a very good governor. He didn't think what he was trying to do was right. He didn't think he was very competent. I don't know what Olson thought, because he was guarded by his staff so much that you really never got to him; but he fought with us all the way through. We had battles on every issue.
- Morris: Would he come to the AG's office?
- Kragen: Never. Never that I knew of. Warren saw him, but Warren very seldom went up there.
- Morris: Did Olson have cabinet meetings, or--?
- Kragen: No, the Attorney General, in those days, was not part of any cabinet. I don't know whether he is now or not. I think not.
- Morris: Well, he's elected--
- Kragen: Yes, but that's not the basis of a cabinet in the state system. The basis of a cabinet is what the governor wants. Each one has his own, and I don't think Olson had a cabinet, in the sense that Brown is trying to get a cabinet.
- Morris: As Governor, Warren functioned with a cabinet, didn't he?
- Kragen: Somewhat. I really can't be sure about that, but I didn't see much indication. I don't remember that he had regular meetings of the department heads. He had meetings, but I didn't know that it was a weekly meeting or anything like that. May have been, but I just didn't know it.
- Morris: The textbooks refer to the battle over who was going to run the state civil defense as one of the issues that may have shaped Warren's decision to run for Governor.

Kragen: That's right. There was a big battle over it. He considered the Attorney General should, and Olson thought that it was the Governor's job. And he had appointed somebody, who was--

Morris: Dick Graves?

Kragen: Yes. Who was supposed to do it, and it was a real-- Warren didn't think they knew what they were doing, and I think there was a big battle on that. I wasn't involved. I knew Dick pretty well.

I knew these people, but I didn't get involved in that end of it, largely because I wasn't much involved in matters related to the war that the Attorney General's office was doing, even though we were all assigned jobs during that period. I traveled a lot. And as a result, I didn't get many of the assignments related to the war.

Morris: Even more controversial than the civil defense was the Attorney General's office and the Japanese, when we actually got into the war.

Kragen: That really wasn't between the Governor's office, I don't think, and the Attorney General. It was very controversial, and it's never really been thoroughly cleared up, as far as I know, but my reaction--we were getting a lot of reports on sabotage, which proved later to be untrue, about Japanese sabotage in the Hawaiian Islands.

I remember the two or three meetings the Chief called to give us the details on reports he'd gotten. I think there got to be a certain amount of panic in that, and the decision was to avoid the problem by relocation. I think one of the problems was that it probably wasn't carefully thought out or researched as it probably should have been. But when you're in the middle of worrying about submarines off the coast, and everything else, you don't think as fast or as carefully as you might otherwise.

Morris: Were there questions at the time, in the beginning of 1942, as to what would happen to the property that was owned by the Japanese?

Kragen: No. Some people raised it, but that was one of the really bad things, I think. Nobody gave much consideration to that at all, as far as I could tell.

- Morris: Nobody came to the AG's office to do anything about it?
- Kragen: Well, I can't say nobody did. I never saw anything on that. I don't know whether they did or not, but I know what happened, and nobody protected the property at all, except some individuals did. In individual cases they did things; but there was no government--neither the legislature, nor the Governor, the Attorney General, nor anybody, as far as I know, did anything in that regard.
- Morris: It's interesting, again, looking back on it, that nobody thought of this aspect of it.
- Kragen: That's right. In fact, in the Los Angeles area, I was informed the blacks moved in and took over all the Japanese property at distressed prices. Really, they just took it over, many times without paying for it. But they were the ones--
- Morris: Because the property was just left vacant?
- Kragen: Yes. People were moved out fast, and nobody protected it.
- Morris: Very curious thing altogether.
- Kragen: That's right. It was a very sad situation, but there it was. I don't know whom you blame.
- Morris: Yes, as you say, the whole issue seems never to have been thoroughly researched or cleared up.

IV 1942 CAMPAIGN FOR GOVERNOR

Warren Announces his Candidacy

Morris: Sitting there in the Attorney General's office, aware of all these things coming in and out, and being out in the counties, when did you get a sense that Warren would run for governor?

Kragen: We didn't think he was going to. He called a meeting--there were rumors going around. Every place you went you heard, "Warren's going to run for governor."

Morris: About when would this have been?

Kragen: This was, say, March of 1942. I'm not actually certain, but around then. And he called a meeting of the staff, in San Francisco. And we sat down. And he said, "I know all these rumors are going around, that I'm going to run for Governor of the State of California. And it's caused a lot of uncertainty around this office. And I want you to know I'm not going to run."

Two weeks later, he called another meeting. And at that meeting he said, "Contrary to what I told you"--I mean, this is not exact, but--"Contrary to what I told you, I have been convinced that the only way that we can save the State of California from the tremendous disaster which the continuance of the Olson administration would bring to the state, is for me to run."

"I don't want to run. I like this job, but I'm forced, as a citizen of this state, to accept the decision of others that it's the only way we can defeat Olson, and I'm running." That was it.

Morris: Any idea of who convinced him to run?

Kragen: I just don't know, but it was the Republican stalwarts,

Kragen: I'm sure. I'm sure he also relied heavily--this is surmise--on such men as Joe Knowland, Jesse Steinhart, that type of man, outside of the party organization as such. He had a group of those people whom he relied on; I think Joe Knowland and Jesse Steinhart more than any other two.

Morris: What was Mr. Steinhart's particular interest in-- ?

Kragen: Just a personal friend and advisor. He'd been one of Warren's closest advisors for many, many years.

Morris: Going back how far? This is something we never really--

Kragen: Well, I'm not sure. I would say that the two men who would probably know that better than anybody else are either Joe Feigenbaum or Jack Goldberg--they were with Jesse from early days. Joe Feigenbaum was in the legislature for a period, and knew Warren, and was close to the whole picture. They would know. I'm not sure how far back, you know.

My first experience with it was when I was with the Attorney General. I got to see Mr. Steinhart, whom I didn't know at all then, so I don't know how much before that.

Morris: They hadn't gone to law school together, had they?

Kragen: No, no. I think Jesse went to Hastings. He graduated before the school was other than a faculty of jurisprudence, which really didn't give a law degree. Jesse must have graduated about 1906 or 1908, somewhere around there. Maybe even before that.

Morris: So he was a shade older than Warren.

Kragen: Oh, yes. He was about five to eight, ten years older than Warren. I'm sure Jesse didn't graduate from here. [Reaches for book behind desk. Tape turned over.]

He graduated in 1917, and he was three years after Warren. No, I think Jesse didn't graduate--I don't know where Jesse went to school. He may have gone to Hastings, he may have gone to Harvard. I'm not sure.

Morris: But he maintained an interest in politics and public affairs?

- Kragen: Oh, yes. Till the day he died. Sure. Somebody said Jesse was a great guy at getting somebody else to run for office. [Laughter]
- Morris: Yes, what's the theory on that? There are a number of people who take this approach.
- Kragen: That's right. He never wanted--he always was someone who was interested, but never active in that sense of serving. Joe Feigenbaum said that he, himself, never would have run for office, except Jesse sort of pushed him into it. [Laughs.]
- Morris: Were they already partners?
- Kragen: He was in Jesse's office. I think he was an employee of Jesse's at that time. I'm not sure he was a partner then, but he may have been. I'm not sure.
- Morris: I see. In other words, was it Mr. Steinhart's theory that everybody should have a turn at this and become--
- Kragen: I don't know. I really don't know. I can't tell you.
- Morris: It's interesting. Were there other possible Republican candidates at that time?
- Kragen: Well, they really didn't have very much else. They had two or three people who didn't really add up to somebody who could win--[George J.] Hatfield, who was lieutenant governor for a while, and Brown, I think, Charlie Brown--what was his name?* No, it wasn't Charlie, it was some other first name. I can't remember his name. And, of course, Goodwin Knight was anxious.
- Morris: He was already a judge at that point, wasn't he?
- Kragen: He was a judge, but he wanted to be governor.
- Morris: That's interesting. Usually it works the other way around, doesn't it?
- Kragen: Yes, well, he was a superior court judge. He wanted to be governor. He was lieutenant governor under Warren for one or two terms--
- Morris: What about the man who ended up running for lieutenant governor in 1942? Fred Houser.

*A Charles Brown was elected to the state senate from Mono and Inyo Counties from 1939 to 1961. Ed.

Kragen: Yes, well, he was a judge, also. I don't think anybody thought he had enough strength, compared to Warren. Warren was well-known. Houser was really not well-known. Warren was, no question about it, the best-known Republican in the state.

Morris: Was Olson considered that strong a candidate to beat, or that strong a governor to beat?

Kragen: Well, he was governor. The Democrats would have had to go with him, and I don't know whether they thought anybody else could win, but they thought he was sure to win, and that's the way the politicians do.

Observations of the Campaign

Morris: Did you get involved in that campaign at all?

Kragen: Not really. We did a little bit. Warren's theory was that the people in the office should not get actively involved in the campaign, with one or two exceptions. He said, "You have a job to do, and I want it done. I don't want the fact there's a gubernatorial campaign to affect it."

He took two or three of the people from the office. I'm not sure how they did it, whether they went on leave, or what. Bill Sweigert worked quite closely on it, more than anybody else. But some of the other people--

Morris: How about Helen MacGregor?

Kragen: Well, Helen was his personal assistant, you know, and she went with him everywhere. She worked in the campaign in the sense that she did a lot of things for him, but I don't know exactly how much active campaigning Helen did, if any. I don't think it's her style.

Morris: No, I don't think so. I think she keeps the papers in order, and the schedules.

Kragen: Yes, that's right. I'm sure she did that during that time.

Morris: Did you ever sit down with Warren or Sweigert, or both, and talk about how things were going?

- Kragen: I did with Bill. Bill was a very close personal friend of mine. We used to sit down, have a drink, and talk about the campaign, and every once in a while we'd talk over a speech. Once or twice I saw material for a speech, where my field was involved, and made some suggestions, but I wasn't really actively involved in any sense.
- Morris: Was this Sweigert's first go at campaigning?
- Kragen: I really don't know. Bill had been a partner in a fairly active law firm, Cullinan, Hickey and Sweigert--he was a Democrat, and I'm not sure how active they had been. I hadn't known Bill until--we went into the office at the same time, as deputies--
- Morris: Really?
- Kragen: Yes. I hadn't known him until then.
- Morris: But the two of you liked each other--
- Kragen: Yes, we get along. I saw him the other night at a real talky party. The Wollenbergs gave a dinner, and they had the Sweigerts, the Sherrys, and the Feigenbaums. I guess that was it. That was a real talkative group.
- Morris: Did you get back to the early days--
- Kragen: Sure. We'd all had Sacramento experiences, and we'd all been close to Warren, and we'd all been close to a lot of other political figures.
- Morris: Did your office have any contact with Wollenberg? He was then in the legislature, wasn't he? And from San Francisco?
- Kragen: Al was in the legislature--that was probably his first term.
- Morris: Because by 1945, he was--
- Kragen: Yes. He handled the Governor's program. See, he went into the legislature because Jesse Steinhart told him he ought to go into the legislature. We were talking about that the other night.
- Morris: Had he been in the firm?
- Kragen: No. He was just very close to the firm. He was practising law on his own. I think he was by himself, or

Kragen: he was associated with somebody. He wasn't in the firm. But the Wollenberg family was very close to Jesse Steinhart.

Morris: Yes. Judge Wollenberg's father had been--

Kragen: Yes, Charlie. Charlie was then head of San Francisco social welfare, or maybe he was in the state service already.

Morris: Well, no. Warren appointed him as director of the State Department of Social Welfare.

Kragen: Yes, that's right. But Jesse told Al that he had better run, and that's how he happened to run.

Morris: Is his theory that you should try this while you are young?

Kragen: Yes, I think that's true. I think that would be true.

Morris: It's good experience in later life, in the law?

Kragen: Yes, it's a good thing. You gather good contacts and good experience. [Phone rings.] Pardon me. [Tape off briefly.]

Morris: Before we get past it, I was wondering if all your contacts out through the counties, on tax matters, provided any useful names or ideas that were worth feeding back into the campaign?

Kragen: No, we made no attempt to do that. I think Warren's idea was basically that if we did a good job, if we got around, saw the people, did a good job, that'd inure to his benefit.

When he came into a small town--once I was in Fresno, or one of those towns; anyway, I was trying a case, and I happened to see him.

Morris: He was in the same town on some other business?

Kragen: Campaigning.

Morris: Oh, I see. Wonderful.

Kragen: I think I was with Sweigert. I remember we watched him--he went down the street with a couple of the local people

Kragen: and they dropped into every store on the street. He said, "Hello," to the people working there. And, "I'm Earl Warren. I'm running for governor. Just want to meet you," and so on, and went right down the street. I remember that very distinctly.

That's the sort of thing he did. But he figured that--he never asked, never suggested, that we give him any names--at least, never suggested to me--or anything of that. He just told us to do our jobs, that's all.

Morris: He already knew people throughout the state?

Kragen: He knew them. And he had a great memory and a great rapport with them.

Morris: Did he have any paid campaign staff at that point?

Kragen: Oh, I'm sure he did. I just had no contact with anybody. I'm sure he must have, but I don't know.

Morris: Well, there's a recurring story that Clem Whitaker was on the staff for a while, and they came to a disagreement.

Kragen: That I have no knowledge of.

Morris: That story never came to you and Sweigert never unwound on that one?

Kragen: No, we never talked about it.

V CONTRAST IN STYLE: ATTORNEYS GENERAL ROBERT KENNY
AND EARL WARREN

Morris: You said you did stay on in the Attorney General's office for a while, after Warren went on to Sacramento?

Kragen: I stayed on for about a year, I guess. I stayed on until January 1944. So, about a year, with Bob Kenny.

Morris: Yes. Any differences in Kenny's approach to--

Kragen: Oh, yes. A lot of differences. Kenny was a different type of person. Where Warren would sit down and talk to people for long periods, and we'd never be able to see him because he over-stayed all the appointments, Kenny had them going in one door and coming out the other door laughing, and they thought they'd seen the Attorney General. [Laughs.]

Morris: That's interesting.

Kragen: He never really spent any time with anybody, to any extent. Kenny was much more interested in active participation in the matters in your own department. For example, in my department, as well as in all the others, we submitted all the briefs in the appellate courts to him before we sent them in. We had never done that with Warren, although he would want to see briefs on particularly important cases.

Morris: I see. In other words, he really wanted to take a look before--

Kragen: Yes. He read everything, supposedly. He was very fast. And he didn't spend as much time on some of the other things that Warren did. He really wasn't as interested in the general government picture as Warren was, and--

Morris: But he was interested in the legal details?

Kragen: Oh, yes. He was a good lawyer. So was Warren, but he was--had come out of a little different set-up in relation to it. Kenny came off the bench, and he wanted to see what was happening in every phase of the operation.

Morris: Within the attorney general function.

Kragen: Yes. And controlled it more. I mean, he controlled it a great deal more.

Morris: That's an interesting distinction.

Watching Warren as Governor, what kind of things did you observe, particularly about his style as Governor?

Kragen: Well, he was about the same as when he was Attorney General. He was very open with the people, saw a lot of people, he talked to them, he was interested in them. His was, in contrast to Kenny, was a more formal type of operation. I mean you were never "one of the boys," really, with Warren, except when you went to a football game or something with him; Warren was a much more formal man.

Kenny was sort of--well, the typical thing, which sort of indicates the difference in nature: in the entire Warren administration, we never had a drink in the office, a cocktail or anything else. In the Kenny administration, the basic cocktail parties for Christmas and all that were in the office. He was a different type of man.

Morris: But at the same time, you say that Warren would sit down and talk.

Kragen: Oh, he was very friendly, a very gregarious sort of a fellow. Warren wasn't averse to taking a drink, but the office wasn't the place to have it, as far as he was concerned. It was a law office, and it should be run as a very formal law office.

Warren personally was very friendly. I mean, he always was that way. It used to bother me, after he became Chief Justice. When I'd go back there, I'd call Miss McHugh and tell her that I was in town. I just wanted to leave a message, to say, "Hello," to the Chief. And I'd get a call back, "Chief wants you to come over. See him for lunch," or "See him after court," or something. And I'd come over, and I knew how busy he was, and I was always sitting on the edge of the chair, and he was--I

Kragen: remember one time, specifically, I was there, and I'd been there about an hour or more, and I really felt-- I was enjoying it--

Morris: When the Supreme Court was in session?

Kragen: Yes, but after the court had adjourned for the day. I was very uncomfortable because I knew how busy he was, how much work the court had. And I said, "Chief, I think I'd better go and pack, go back to the hotel. I'm leaving this afternoon."

He said, "Where are you leaving from?"

I said, "Baltimore."

He said, "Well, what time is your plane?"

I told him. He said, "Oh, stay around a while. I'll have Dawson drive you back to the hotel and drive you to the airport."

So I stayed there for about two hours, enjoying-- he loved to talk to people from California, about the situation we'd known. He was that way, anyway.

He came here, I remember, for a couple of functions with students that were really far above and beyond what you would imagine a Chief Justice would do. That's the way he was in the Attorney General's office. He was always friendly. But he was awfully tough.

Morris: On people working for him?

Kragen: Yes. If you made mistakes, he would really tear you apart. If something went wrong.

If you took a position contrary to his, you could argue with him. He would never be a problem there, but once he decided a thing was going to be done in a certain way, you had to stop arguing, number one, and you had to not say anything outside. If you said anything outside about your disagreement with the Chief, you were through. He was really very tough.

Morris: Did this happen very often?

Kragen: Not very often. It happened, I think, oftener--from what they tell me--in the DA's office than it did in the

- Kragen: Attorney General's office, largely because the Attorney General's job was so much bigger.
- Morris: It was harder to keep tabs on everything.
- Kragen: Yes, that's right. But they told me it happened in the District Attorney's office a lot, but I never personally experienced it.
- Morris: That's interesting. You stayed around the AG's office for another year, and did you keep contact with Mr. Warren while he was Governor?
- Kragen: Yes. Because, first, I was in Sacramento a lot.
- Morris: Was that when you joined the Steinhart firm?
- Kragen: No, I didn't join the Steinhart firm until a couple of years ago.* No, I was in Sacramento a lot during that year, for my regular job for the Attorney General, and Warren had taken a lot of our staff up with him. Bill Sweigert was there, Helen MacGregor was there, one of my--
- Morris: Warren Olney?
- Kragen: Warren Olney was there. He wasn't in the Governor's office. He was with the Attorney General, handling a big case in Sacramento for a lot of that year.
- Morris: Yes, I believe he kept trying to go back to his own law firm, and he never made it for very long.
- Kragen: Yes. And then he went back to Washington, when the Chief went to Washington. But a lot of those people were in the Governor's office--so I used to go in and see them. Then, around the middle of the year, I was assigned to write the memos for the Chief on the tax legislation, so I saw a lot of him then and had a number of conferences with him. I saw quite a bit of him over the year.

*Feigenbaum, Steinhart, Goldberg and Ladar in San Francisco. Ed.

VI LEGISLATIVE REPRESENTATIVE FOR THE MOTION PICTURE
AND OTHER INDUSTRIES

Employee Insurance Legislation

- Morris: And then, when you left the Attorney General's office--
- Kragen: I went to a Los Angeles law firm.
- Morris: You went to Los Angeles?
- Kragen: Yes. With a firm called Loeb and Loeb, which was then a fairly large--and is now--a fairly large law firm, which mainly represented the motion picture industry.
- Morris: Oh, that must have been quite a--
- Kragen: It was interesting.
- Morris: Were you able to keep in touch with Warren and the people that you knew in Sacramento?
- Kragen: Yes. Because one of my jobs was to represent the motion picture industry, and actually, all of industry, in Sacramento, as a technical expert on tax matters and unemployment insurance.
- Morris: Unemployment insurance, in the 'forties? That's interesting. Why--
- Kragen: The industrial lobby had always had somebody from the motion picture industry, supported by the motion picture industry, as their technical expert in matters of taxation and unemployment insurance, and that was my job.
- Morris: Now, what's the connection between the motion picture industry and unemployment insurance?

- Kragen: Because they have a big stake in it. They had a multi-million dollar stake in the tax structure.
- Morris: This is the contribution of the employers to the unemployment fund?
- Kragen: The employer's contribution, sure. What we were trying to do was to try to keep that as low as possible, and so they made their contribution to the Sacramento representation by paying my retainer.
- Morris: I see. Well, then that means I can ask you if you got involved at all in various legislative discussions as to whether or not the state should require health insurance of employers.
- Kragen: Yes, very much so. We were much against it.
- Morris: As an employer representative?
- Kragen: Yes. For our group. We fought it; we fought the battle all the way through on it. Of course, I was not in on that at the beginning. Originally that was introduced in Warren's first term.
- Morris: The first battle was in 1945.
- Kragen: I was still with the AG's office then.
- Morris: There was another battle in 1947.
- Kragen: Well, the big battle in 1947 was in disability insurance, not in health insurance. Really, health insurance went by the board very fast. It was in the hopper in 1945, but it didn't last. I mean, it really was a battle, but the CMA and a lot of industry representatives opposed this legislation and it failed of passage.
- Morris: That's true.
- Kragen: But disability insurance they did get in 1947. And I was right in the middle of that one. In fact, I thought we had it licked. We were against it, and I thought we had it licked and told Mary Ellen that the session was over--
- Morris: Is this Mary Ellen Leary?
- Kragen: Mary Ellen Leary. She wasn't married then. She was political editor of the San Francisco News then. And

Kragen: she wrote up all that stuff. She was writing me up a lot, unfortunately. And I told her the session was over, and the next day--it was three days before the end--somebody introduced it as an amendment to another bill, and it [whistles] breezed through. Our guys missed it.

Morris: You got outflanked.

Kragen: All of a sudden they had disability insurance.

Morris: Did this cause you any qualms, knowing Warren had introduced this kind of legislation?

Kragen: No, I was a lawyer. I was fighting a battle for a client. And no matter what I believe, it doesn't make any difference. I didn't think those health insurance bills were very good, as a matter of fact. I thought they were really not very good bills, even though health insurance might be a good idea. I just didn't think the bills were very good bills. They were going to be terribly costly, and I really didn't think they were going to do the job.

But no, I'm a lawyer, representing a client. I fight the battle. As long as it's legal.

Morris: That must have brought you in contact with the labor federation and their--

Kragen: Oh, yes. Charlie Scully and Neil Haggerty. We were with them all the time. We were good friends. I mean, Charlie and Neil and I were very good friends, but we were battling them all the time.

Morris: How about the unions related to the motion picture industry? They were pretty outspoken in those days, weren't they?

Kragen: Oh, they sure were. They wrote a letter to the presidents of all the companies at one time, and said unless I quit trying to get a certain measure--I can't remember whether it was fighting or supporting a measure--they would call a strike against the industry. And the presidents knew me from nothing--some of them knew me, but most of them, like Spiro Skouras, I'll never forget, he rang Darryl Zanuck, and said, "Who's this 'Kragen?'"

Darryl Zanuck said, "I don't know. Let me find out."

Morris: You're kidding!

Kragen: I'd met Zanuck, but the man I worked with was Jack Codd, who was the controller of the studio.

Morris: I see.

Kragen: The unions were very outspoken. Also I had handled all the unemployment insurance cases that were involved in the big strike in the industry. And they'd file then for unemployment insurance under what they thought then was the law, and I won them all, and they were annoyed. I had a lot of contact with them.

Morris: Did the courts at that point hold that if you were out on strike, you were not entitled to unemployment insurance? You were voluntarily not working.

Kragen: That's right.

Morris: That's a point that has changed, hasn't it, over the years?

Kragen: No, not really. There have been changes on some phases, but on that basic question, it's still the same--if you're out on strike, you cannot get unemployment insurance benefits. The question is whether an individual who can't work, because he won't pass a picket line, but isn't involved in the strike, can get it. There've been some cases, I think--I haven't followed them very closely--on that.

Morris: What was Mary Ellen Leary writing you up about?

Kragen: Well, she--see, what we had was an agreement that I would speak for industry, and Mary Ellen got Jack Shelley to ask me whom I represented.

Morris: He was then in the legislature?

Kragen: He was in the senate, yes. So Jack asked me, and I said I'd tell him, and I furnished him the list of forty organizations that I represented.

Morris: Separately, or through an association or committee?

Kragen: Well, I represented them--I was speaking for them. He asked whom I spoke for. I wasn't paid by them--let me make that clear. The next day, Mary Ellen started a

- Kragen: series of articles on "the lobbyist's lobbyist, the man behind the industrial lobby." And I didn't know-- I wasn't behind any--
- Morris: That was you?
- Kragen: It was me, but I wasn't behind anything. I was just a technician for them. So she wrote a series of articles on that, and then she wrote a number of articles from time to time on things I would do--because I was very closely involved with the legislature all the time. In the type of work I was doing, I was appearing before committees--I was up there full-time.
- Morris: I can imagine.
- Kragen: It was her job, and she wrote it up. Mary Ellen and I are very close friends.
- Morris: She's a remarkable woman.
- Kragen: Oh, yes. Our families travel a lot together, the Sherrys and the Kragens, so we're very close to each other.
- Morris: You didn't, by any chance, save those clippings, did you?
- Kragen: No. I don't save clippings.
- Morris: Well, they may be in her papers in The Bancroft Library.

Contacts with Governor Warren

- Morris: So that you were really there on the spot to watch Warren through all three terms as Governor?
- Kragen: Let's see. When did he become--?
- Morris: He was appointed Chief Justice in 1953.
- Kragen: Not the last part. I came here to Boalt Hall in 1952, although I still went up to Sacramento because I was general counsel to the California Retailers. I still kept that when I came up here. So I went up there, and I saw the Chief.

I saw him a lot, anyway, you know. We were very

Kragen: friendly. The only time he got mad at me was when I turned him down for a judgeship. I wouldn't take a judgeship.

Morris: Why didn't you want to go on the bench?

Kragen: A number of reasons. First, I couldn't afford it at that time, and secondly, I just never thought I'd be a good judge.

Morris: You like taking sides?

Kragen: Well, and I think I'd get bored sitting up there, listening to all these lawyers, some of whom are so bad.

Morris: I see.

Kragen: I've turned down judgeship offers about four times.

Morris: If you were in the south in those years, maybe you could comment on what looked like the growth of opposition to Warren coming from the south in his second and third campaigns for Governor.

Kragen: It came, actually, out of Kern and Orange counties, largely. And that was Tom Werdel, whom I knew also. You know, Tom was a football player here, and I knew Tom very well. Tom was up in the legislature for a while, and they centered on him as a likely candidate.

Warren lost a lot of support from the conservative part of the Republican party simply because he was not a hundred per cent in agreement on all Republican issues. That's all there is to it. Lots of times, if he thought the Democratic position was right, he'd go with that. Health insurance, you see, was anathema to the conservative part of the Republican party, and to a lot of the moderate Republicans also. [Laughs.] And to the conservative Democrats.

Morris: Yes, that had a money side to it. The next one that's pointed to is that gas tax increase in 1947. Was the opposition based on the fact that it was going to cost the oil companies money?

Kragen: Yes, it was the oil company opposition, basically. I don't know that it was Republican--maybe it was. I just didn't get involved--I saw the oil companies get involved and the auto clubs, and they of course had at

Kragen: that time mostly Republican management and directors, but I don't know. It didn't--

Morris: I think what I find interesting is that you list a couple of issues where you were on the other side professionally, and yet you continued to be friends, and then, there seem to have been a number of people who didn't get over being mad at him.

Kragen: Well, see, I never got mad at him. I don't think he ever really got mad at me. I was in that office lots of times, arguing with him on issues presenting a position of our clients that we thought he was wrong on, and--

Morris: You'd go into the Governor's office, and--

Kragen: I was one of a group, but usually, if there was legislation, I was pointing out the technical nature of our position.

Morris: You'd send a delegation in?

Kragen: Yes, we dealt with a group of people. The lobbyists, or some of the principals once in a while, but mostly the lobbyists for the business interests--Charlie Stevens for the oil people, and Kugler for the insurance people, and often the CMA [California Medical Association] used to go in with us, and Kennedy from the retailers, also Agnew. I don't know, a whole group of people that we went in with. We went in usually as a group.

Morris: That's interesting.

Kragen: And argued with them, and presented the position of the industrial people on it. We went in lots of times with him, and I never saw--I didn't think he got mad. I don't know, maybe he did sometimes get mad. I didn't know it. He was always friendly to me, all the times we met.

I remember one of the sort of thrills I had, there was--I can't remember the function, but it was a big dinner, several hundred people, and he came in with a group--he was the principal speaker. He was being honored.

He came in, and I was standing up applauding. Everybody was standing up, and he veered off and came by and said, "Adrian, I haven't seen you for a long time. How are you?" and went on.

Morris: Oh, wonderful.

Kragen: And you know, it was a great thrill. And that's the way he was. I don't remember how many people close to him were there, but they were certainly not at my table.

VII THE CHIEF JUSTICE'S LAW CLERKS

Kragen: And you know, when he became Chief Justice, I picked his law clerk for ten years, one of his three law clerks.

Morris: Tell me how that works. This was the ones from the West Coast?

Kragen: The West Coast, yes. He asked me, when he became Chief Justice, if I'd screen the people from the four western schools--Cal, UCLA, Stanford and USC--and recommend a law clerk each year to him.

I felt there would be criticism if his old school was the only one involved, so I asked Sam Thurman from Stanford to join with me. We interviewed, and then went ahead and made a recommendation each year to him. Every year he took our recommendation. I did it for ten years. By then, Mike Heyman and Henry Steinman, who were former law clerks of his, had come out here, so I suggested to Warren that it might be a good idea for these younger men to take it over, and that's what they did. Until he resigned, they did it.

Morris: Had you helped to screen Heyman and Steinman?

Kragen: Heyman was from the East, from Yale. Steinman, I think we did. Steinman was from UCLA, and we sent Steinman to the Court. I think we have four or five of his law clerks here at the law school now.

Morris: I'm not too clear about this. The Chief Justice has three law clerks?

Kragen: Yes. He now has six, or nine. I don't know what it is now.

Morris: And how long does each clerk serve?

Kragen: Usually one year. Sometimes they'd hold over one law

Kragen: clerk, and he'd serve two years. So he'd have some continuity with that. But normally, they're one-year appointments.

Morris: Where does this idea of law clerks come from? Is it written into a constitution somewhere?

Kragen: No. It's in the budget. They have the money, they do it. Superior courts are now getting some. It has been the custom for many years to have some research help (law clerks, basically) in most of the appellate courts. I have never checked to see how far back it went. Certainly since I started to law school.

There used to be fewer of them. For example, I remember the Supreme Court justices shared clerks early, when I first was practising--but now they each have one or more.

Morris: This applies to the state supreme court as well as the--

Kragen: State appellate court, state supreme court, all of them have it.

Morris: Did Warren have any guidelines or any ideas of what kind of a person he wanted?

Kragen: No, he wanted someone who was very competent, interested in the court, willing to work, and that's all he told us. We knew the Chief, and in our own selection process we made some guidelines of our own.

For example, I would not send him someone whom I thought would fight him and then talk afterwards. You get some very bright guys who have obnoxious egos, and if that ego was such that if they thought the Chief was wrong they'd talk about it, we wouldn't send the man, no matter how good he was. One of the eastern men he hired was just exactly that way. He's a big-shot professor now, but I've never forgiven him for--

Morris: Shooting off his mouth-- ?

Kragen: --his mouth about the Chief, and how wrong the Chief was on various things, and I thought you have to have loyalty in a position like this. That's the way I operate.

Morris: Is there a sense in which being appointed a law clerk is an honor and a recognition of a young guy's ability?

Kragen: Sure, it's a big honor. It really is a great honor. In fact, it's a basis for great opportunity, too, both in going into teaching and also going into a good law firm.

Morris: Yes, I can see that.

When did you hear about Warren being appointed Chief Justice? How did that come to you?

Kragen: I'm not quite certain. I think there was a rumor around, and then we just heard that it was going to be, that's all. I don't remember. I just don't remember exactly. I was here, and we had a rumor, and then we just heard that he was appointed, that's all.

Morris: He had announced that he wasn't going to run for a fourth term early in 1953, to give the party time to choose somebody else. That was the general gist of his announcement.

Kragen: Yes, that's right.

Morris: And did you "old buddies" ever have any talk about--

Kragen: I don't remember that we had any special--I don't think we certainly made any campaign--I mean, the group of us.

Morris: By then, there was a pretty sizable group of people who had worked with him and formed personal friendships; was there any speculation as to what he would do with himself, when he left the Governor's office, before this--

Kragen: We may have. I can't really remember. I formed a group called "the ex-deputy attorneys general, Earl Warren chapter," or something like that. We met at the state bar meetings, three or four times. Then the thing evaporated, because I didn't have the time to do it and nobody else did it. The Chief came, and we discussed all sorts of things, but I can't remember any specific discussions. I don't know what speculation there was, as to what he would do or where he would go.

Morris: Or any concern about it?

Kragen: I'm going to have to--

- Morris: Yes, I know you have to get over to the City. We've covered just about everything. Would you like to add a few words as to your overall opinions of what Warren did or did not accomplish, and what he's meant?
- Kragen: Okay, fine. I think he was a great man. Very much--
- Morris: You certainly have been instrumental in organizing projects in his honor.
- Kragen: I've been interested in it for a long time. I think he's a great man. And it was a great experience for me. That was the thing. The man was very important in my career.
- Morris: In terms of the people you met, and the ideas--
- Kragen: Well, the people I met, and the opportunities he gave me.
- Morris: And as you said earlier, let you do--
- Kragen: Yes. I mean, I had experiences that no young man normally has.
- Morris: How old were you when you went into the office?
- Kragen: Let's see. I went in in 1940, so I was thirty-three years old.
- Morris: That's quite a job for a young man.

VIII A NOTE ON NINA (MRS. EARL) WARREN

Morris: Thank you so much for sharing your recollections with us. You've added valuable insights on working with Mr. Warren.

His death really has been a personal sadness to those of us who have worked on these interviews.

Kragen: Yes. I just wrote a letter to Mrs. Warren yesterday.

Morris: How's she doing?

Kragen: She's doing fairly well. John Daly said she was doing better now and she's coming out of it. She wouldn't leave the hotel there, and didn't want to do anything all this time.

Morris: She has stayed in Washington?

Kragen: She's in Washington and she's--you know, her life was Earl Warren. That's all there was to it.

Morris: Yes. It certainly was.

Kragen: Buddy Dinner was telling me the other day about the times when Ben Swig used to hire a yacht and they'd get a week or so vacation; most of the time the Warrens would go--or they'd do a trip together to New Orleans, or something like that. Mrs. Warren personally washed all the shirts and everything every night.

She had to do everything for him on all the trips; she'd never send anything out at all. In fact, Buddy said she offered to do his stuff, too. She just subordinated her whole life, basically, to her husband.

Morris: It's a kind of devotion that's probably almost disappeared.

Kragen: Yes, that's right. It's very rare. But that's the way

Kragen: I think of her. She was always there, but she never intruded--she was always backing him up, in effect. A really wonderful woman, but it's an awfully hard thing when you lose somebody--

Morris: To lose the center of your life that way.

Kragen: Yes, that's right.

Morris: Is there any thought that she'll come back to California?

Kragen: I don't know. There's no indication. I think Ben tried to get her, and Wally Lynn, to come out for Christmas. Actually, I think Wally called her when Ben hurt his shoulder and said, "Ben needs some help and some nursing. Why don't you come out and take the suite up there and help him?" And they couldn't get her to come.

Morris: Poor lady.

Kragen: Yes. But John Daly said she was coming along better.

Morris: I'm glad to hear that.

Well, I won't keep you any longer; you have a luncheon appointment. Thank you again.

End of Interview

Transcriber: Bob McCargar

Final Typist: Mary Millman

INDEX - Adrian Kragen

- aircraft industry, 16
- Alameda County:
 - County Auditor of, 4
 - District Attorney's office under Warren, 2, 30
 - politics, 2
- Attorney General, California office of,
 - under Kenny, 27, 30
 - under Warren
 - advising local government, 3-5, 8-9
 - criminal litigation, 7
 - and Governor's office, 16-17
 - and legislature, 6, 14-16
 - and 1942 election, 10-11, 23-26
 - organization, 4-7, 10, 13, 14, 17, 27-29
 - and State offices and boards, 3, 5, 10-12, 14
 - tax department, 1-14, 16-17
 - tax opinions and litigation, 3, 6-11, 14, 16, 27
 - and World War II
 - Japanese-American relocation, 18-19
 - civil defense, 17-18
 - Warren and Kenny compared, 27-29
- automobile clubs, lobbying, 36-37
- Bank and Corporation Franchise Tax Act, 13-14
- banking, state funds, 16
- banking industry, 13-14
- Bercovich, Harry, 2
- bipartisanship [see nonpartisanship]
- Board of Equalization, 5, 10-12
- Bonelli, Bill, 11-12
- Brooks, Valentine, 1
- Brown, Charles, 22
- California Federation of Labor, 33
- California Medical Association [CMA], 32, 37
- California Retailers Association, lobbying, 35, 37
- chinchilla breeding tax litigation, 8
- civil defense, California, 17-18
- civil servants, influence of, 12
- Chamber of Commerce, Sacramento, 6
- Constitution, California State:
 - and banking state funds, 16
 - and tax law, 9, 14
- Controller, California State, 3-5, 10, 12-14
- county government,
 - assessors, tax auditors and collectors, 3-4, 8-9
- county politics, California, 2, 36

county-state relations,
 taxes and Attorney General's office, 3-4, 8-9
 corruption, political, 11-13
 criminal litigation, Attorney General's office, 7

DeAryan vs. Akers, 8
Democratic party,
 and 1942 gubernatorial election, 23
 Democrats in California, 1, 36
 Department of Social Welfare,
 Warren appointments, 25
 Depression economy of California, 9
 Dinner, Buddy, 43
 District Attorney, Alameda County,
 under Warren, 2, 30

election campaigns:
 1938 Attorney General's, 15
 1942 gubernatorial,
 other Republican candidates, 22-23
 and press pressure on A.G.'s office, 10-11
 Warren's campaign style, 25-26
 Warren's decision to run, 17, 20-21
 1942 lieutenant gubernatorial, 22

federal-state government relations, 7-8, 13
 Feigenbaum, Joe, 21-22
 finances, state:
 banking, state funds, 16
 tax-revenue, philosophy of, 13
 [See also: taxes]
Franchise Tax Board, 5, 10, 13

gas tax, 7-8, 13, 36
 Goldberg, Jack, 21
 Governor, California State, office of,
 cabinet, 17
 and Japanese-American land seizure, 19
 Graves, Dick, 18

Haggerty, Neil, 33
 Hastings College of the Law, 21
 Hatfield, George J., 22
 health insurance legislation, 32-33
 Heyman, Mike, 39
 Highway Commission, 13
 Horse Racing Board, 13

Houser, Fred,
1942 campaign, 22-23

insurance, disability, 32-33
insurance, health, 32-33
insurance, social [See individual categories]
insurance, unemployment, 31, 34
cases on strikers, 34
insurance industry,
lobbying, 37
tax breaks, 13-14
interest groups, political:
press industry, 10-11
labor, 33-34
[See also: lobbying, legislative]

Japanese-American relocation, 18-19
land seizure, 18-19
Johnson, Gus, 15, 16
Jordon, Frank, 15
judges and justices, California, 22, 36
law clerks to, 40

Kennedy, Vincent, lobbyist, 37
Kenny, Robert,
as Attorney General, 6
compared with Warren, 27-28
Kern County, politics, 36
Knight, Goodwin,
and 1942 gubernatorial ambitions, 22
Knowland, Joe,
and 1942 election, 21
Kragen, Adrian:
as lobbyist, 31-35, 37
observations of 1942 gubernatorial campaign, 20-26
personal observations of Warren, 42
as Attorney General, 1-2, 4, 6, 10, 11, 17, 18, 20, 23, 25-30
as Chief Justice, 28-29, 40
as Governor, 28
relationship with Warren, 28-29, 33, 35-38, 41-42
as special deputy attorney general, 1-20, 23-25, 35, 42
as tax advisor to Governor Warren, 14, 30
Kugler, lobbyist, 37

labor strikes,
and unemployment insurance, 34
labor unions,
and social insurance, 33-34

law firms,
 Feigenbaum, Steinhart, Goldberg, and Ladar, 30
 Loeb and Loeb, 31-35
 Leary, Mary Ellen [Mrs. Arthur Sherry], 32-35
 legislation,
 tax, 13-15
 unemployment, disability, health insurance, 31-35
 legislature, California:
 and Attorney General's office, 6, 15-16
 and Japanese land seizure, 19
 [See also: legislation; lobbying, legislative]
 liquor control, tax, 11
 lobbying, legislative:
 banks and corporations, 14
 insurance industry, 14
 on social insurance,
 business interests, 31, 34-35, 37
 labor, 33-34
 motion picture industry, 31-34
 oil industry, 36-37
 physicians, 32, 37
 Lynn, Wally, 44

McColgan, Charlie, 13
 MacGregor, Helen,
 and 1942 campaign, 23
 McHugh, Margaret, 28
 motion picture industry, lobbying, 31-34

Negroes,
 and Japanese-American land seizure, 19
 nonpartisan politics, 1-2, 21, 24, 36

Oakland, politics, 2
 oil industry, lobbying, 36, 37
 Olney, Warren, 30
 Olson, Culbert,
 and A. G. Warren, 15-17
 and Japanese relocation, 19
 and 1942 campaign, 23
 Orange County, politics, 36

Pacific Greyhound Lines, 10
 Pierce, Dixwell, 12
 Port of San Francisco, 7
 press industry, pressure on A.G.'s office, 10-11

Republican party:

and A.G. Warren, 15-16
and 1942 election, 20-23
support for Gov. Warren, 36-37
[See also: elections]

Republicans in California, 2, 36, 37

Sacramento Chamber of Commerce, 6

San Francisco, Port of, 7

Scully, Charles, 33

Secretary of State, California, 15, 16

Shelley, Jack,

as state senator, 34

Sherry, Arthur, 24

Sherry, Mary Ellen Leary [Mrs. Arthur], 32-35

Skouras, Spiro, 33

Southern Pacific Railroad, 8

Standard Oil of California, 7

Stanford University,

law faculty, 39

Steinhart, Jesse,

and 1942 election, 21

and political candidates, 21-22, 24, 25

Steinman, Henry, 39

Stevens, Charlie, 37

Stewart, , 11

Supreme Court, California, 6

Supreme Court, U.S.:

state tax cases, 7, 40

[See also: Warren as Chief Justice]

Sweigert, Bill,

and 1942 campaign, 23-26

Swig, Ben,

on Nina Warren, 43-44

tax-deeded lands, 2, 8-9

taxes:

and Attorney General's office, 1-5, 7-14, 16

banks and corporations, 13-14

and Board of Equalization, 5, 10-12

County assessors, appraisers, auditors, and collectors, 3-4, 8-9

federal-state jurisdiction, 7-8, 13

federal transportation, 8

franchise commissioners, 13

Franchise Tax Board, 5, 10, 13

gasoline, 7-8, 13, 36-37

insurance premiums, 14

inter-state jurisdiction, 8

legislation, 13-15, 31

taxes (cont'd)

- litigation and opinions, 3, 6-11, 13, 16
- property, state-local, 3-5, 8-9
- sales and use cases and opinions, 8-11, 13, 16
- theories of, 16
- Thurman, Sam, 39
- transportation industry, taxes, 7-8, 10, 13, 36-37
- Traynor, Roger, 1-3, 12-13
- Treasurer, California State, 12-13, 15, 16

University of California:

- Boalt Hall Law School, 1-3
- Hastings College of the Law, 21

Warren, Earl:

- appointments by, 25, 36, 39
- as Attorney General, California, 1-20, 23, 25-28, 30
 - court appearances, 6
 - and Governor Olson, 15-18
 - press pressure on, 10-11
 - and Republican party, 15-16
 - style, 1-4 compared with Kenny, 27-30
- as Chief Justice,
 - appointment, 41-42
 - law clerks, 39-41
 - style, 28-29
- as District Attorney, Alameda County, 2
- as Governor,
 - and legislature, 24
 - style, 28-29, 37-38
- Governor's cabinet, 17
- and social insurance, 33, 36
- and lobbyists, 37
- and 1942 election, 10-11, 23-26
 - campaign style, 23, 25-26
 - decision to run, 17, 20-21
 - and Clem Whitaker, 26
- non-partisanship of, 1-2, 21, 24, 36
- opinion of Olson, 17, 20
- political opposition to, 36-37
- and Republican party, 15-16, 20, 21, 23, 36, 37, 41
- speeches, writing, 24
- and tax legislation, 6, 14, 30
- Warren, Nina [Mrs. Earl],
 - devotion to Warren, 43-44
- Werdel, Tom, 36
- Whitaker, Clem,
 - and 1942 campaign, 26
- Wollenberg, Albert,
 - as Warren's legislative ally, 24-25

Wollenberg, Charles, 25

World War II:

 economic effect in California, 16

 Japanese relocation, 18

Zanuck, Darryl, 33

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Earl Warren Oral History Project

Geraldine Bowers McConnell

GOVERNOR WARREN, THE KNOWLANDS, AND COLUMBIA STATE PARK

An Interview Conducted by
Ruth Teiser and Catherine Harroun



Geraldine McConnell and her dog Alzina. Columbia, California.
November 28, 1973.

Photograph by Ruth Teiser



TABLE OF CONTENTS -- Geraldine McConnell

INTERVIEW HISTORY	i
<u>Background</u>	1
<u>Columbia State Park and Earl Warren</u>	4
<u>James E. McConnell and Earl Warren</u>	9
<u>The Knowland Family and Earl Warren</u>	13
<u>Contributions to the State</u>	18
<u>Men and Attitudes</u>	22
<u>Earl Warren as a Man</u>	26
<u>Columbia</u>	28
<u>Work with Tuolumne County Indians</u>	33
INDEX	36

INTERVIEW HISTORY

The interview with Geraldine Bowers McConnell was held on March 29, 1970, in the comfortable antique-filled living room of the home on the main street of Columbia, California, which she and the late Dr. James Edward McConnell had bought and restored in the early 1940's.

Mrs. McConnell recalled in this reminiscence her own childhood in Davis and the San Joaquin Valley, her marriage to the young dentist (whom she refers to as "Doctor"), their years in Tuolumne County and Dr. McConnell's part in having Columbia protected and recreated as part of the state park system, their associations with the Knowland family and Earl Warren, and her own recent work with the Indians of Tuolumne County.

The interviewers have known Mrs. McConnell since 1945, when they first called upon her and Dr. McConnell for information for an article on the then newly created Columbia Historic State Park. In their continuous association, they have found Mrs. McConnell a warm, enthusiastic and active woman, who speaks easily, earnestly, often with humor, often with emotion, as she did in the interview. In the editing of the transcript a few facts were filled in on the basis of correspondence, and it was sent to her on September 22, 1970. After she had read it over hastily, it was lost, and in the spring of 1973 Mrs. McConnell asked the interviewers to do the final editing, which they did.

Ruth Teiser
Catherine Harroun

16 July 1973
Regional Oral History Office
486 The Bancroft Library
University of California, Berkeley

Date of Interview: March 29, 1970
Columbia, California

Background

Teiser: Would you start with your childhood?

McConnell: I grew up in Davis. My father was a rancher. He raised barley and stock. And one of my earliest recollections is when my father* had a good crop we got to go to San Francisco on the train and we had lunch at the Palace Hotel; I suppose the Palm Court. And I remember I would always have a baked potato and a French pastry. It looked as if the baked potato was at least ten inches long, but of course, it wasn't. But that was one of my happiest, earliest recollections.

And when you lived in Davis, every summer you went to Pacific Grove to spend your summers. So of course I grew up knowing Carmel when it was nothing so much. And Pacific Grove was a decidedly church town.

One of the things I can remember is going to a church program at the old Methodist Church there and seeing slides of the Panama Canal being built. And of course then I saw President Taft when he came to San Francisco to dig the first shovelful of dirt for the Panama [Pacific] Exposition. And of course the Panama Exposition and seeing the different things and getting lost in the Court of Flowers and things like that.

In Davis, they had these Picnic Days, and they always asked the governor to come and lead the parade. Well, I don't know how my father knew Mr. Hiram Johnson, but anyway, one of the first recollections that I have of the Davis parade was driving my pony, a bay, with Mr. Hiram Johnson in the buggy.

*Charles William Bowers

Teiser: What date was it?

McConnell: Well, I don't know. It was back in the dark ages. It was probably -- oh, I must have been seven or eight -- so that would have been 1911 or 1912 or something like that. It was before World War I, I know that.

My father always showed stock at the Sacramento [State] Fair, and I always had the pleasure of driving the governor on the day that it was the stock parade. So I got to know an awful lot of nice governors in my time.

Then my father bought a ranch down near Tulare. And in those days school buses weren't too much, so I went to private school in Fresno, St. Augustine's Academy, and graduated and then went to Fresno State College.

But, going back to the Sacramento State Fair, there was an awfully nice young man that was one of the livestock clerks and his name happened to be James E. McConnell and he was going to dental school. And somehow or another . . .

Teiser: He was going to dental school in San Francisco, wasn't he?

McConnell: Yes, College of Physicians and Surgeons. So consequently we struck up a friendship and lo and behold, eventually we got married. And then we came up here.*

Teiser: What year did you marry?

McConnell: Oh, that was 1924.

Teiser: And Dr. McConnell, when you came up here, then established a dental practice?

McConnell: He was just establishing a dental practice here. He had been up to Weed working for the Long Bell Lumber Company. We came up here I think it was about 1929. I'm pretty sure it was '29.

Teiser: 1929. What a year!

McConnell: Well, it could have been worse. But, anyway, we didn't have an automobile. We walked for three

*To Tuolumne County.

McConnell: years and it didn't hurt us.

We lived in Sonora until the late 1930's. About 1939 we began thinking about getting this place. There were two quasi-relations of ours, and they decided that they were too old to live here any longer; the yard was too large, and there was a place across the street that was kind of a raunchy bar, and they were a little afraid. So they went to Piedmont to live, and we bought the house. And then Doctor, being meticulous, made arrangements somehow to get an architect interested who was visiting out here from Williamsburg. He was the man who was responsible for putting this two story cottage in Williamsburg style. And they had to delete some things and they added a few others.

Teiser: When you say "Williamsburg style," do you mean the "authentic restoration?"

McConnell: This was the first authentic restoration at Columbia State Park.

Teiser: Authentic for this place and at its time?

McConnell: Yes.

Teiser: When was this house built?

McConnell: Well, the house . . . this wall over there [south] was built in '59. At first the people, the Wilsons, could only afford a board and batten place [on the adjoining lot]. And then they bought this place [property] and eventually in 1864 they built this house. Now that was before Mrs. Rosasco, who was a widow at that time, married Mr. James Wilson. Their last daughter died nine years ago, and she was a hundred and one.

Teiser: So you restored the house to the 1860's, California style?

McConnell: Well, 1850's and 60's. The furniture is 1850 and 1860. And most of the furniture belonged to some of our relations one way or another -- in-law's or something.

Teiser: So you and Dr. McConnell came and restored the house?

McConnell: That's it.



The Wilson House, home of Mrs. James E. McConnell. Built circa 1860; restored in 1940.

Columbia Historic State Park and Earl Warren

McConnell: So then Doctor could see the buildings in Columbia falling down, and he belonged to the California Historical Society. Now at that time Mr. William Cavalier was the president, so he went to Mr. Cavalier and said "You know we really should do something about Columbia. Columbia is such an authentic place. It's so small and compact. It should be a state park."

The State Park Commission in the early 1930's, right at the peak of the Depression, had decided they should have a state park. A very fine group of people, a very sincere group of people, including Mrs. Brown, Governor [Edmund G.] Brown's wife, was on the board at that time. If they could have come up with \$29,000, they could have brought the whole thing -- the whole main street. Well, they couldn't, and they had a time limitation on it.

So Doctor talked to Mr. Cavalier, and he said, "You better see your legislator." Well, we knew State Senator Jesse Mayo very well, so Doctor went to him with his problem. He said, "Well, that's a good one, but we had better find out if the governor, Governor Earl Warren, would be interested." He said, "You know the governor can make a great difference with the state parks because they're not adding them too fast. And we should have help." Well, Doctor, having been in politics, Republican circles, for some time, had known Governor Warren as attorney general and had worked for him [his election] as attorney general. So he went, and Mr. Warren said "Gee, Doc, that's a swell idea." So off we went -- from that moment that the governor said, "That's a swell idea."

So then Mr. Mayo sought to have a bill introduced to make this a state park. In 1945 he introduced the legislation, I suppose in early May. And it just swept through both houses like wildfire, and everybody thought it was swell. The stipulation was that there should be an organization, and it should be incorporated, and it should raise \$50,000 to be matched by the state.

McConnell: At that time money was not too easy to come by, and there was no gas; there was still gas restrictions. Anyway, it seemed as if no obstacle was too great. They named Mr. William Cavalier as the president of the Columbia Park Association, and Doctor the secretary, and Mr. James Flood the treasurer, and there were some other very interested early California families. So the governor said, "Well, if you've got an organization and the ball rolling, why don't we have a celebration?" Well, we kind of thought; what would you celebrate with -- what with no gas?

Well, it still seemed to be a good idea and so, of course, Senator Mayo and Doctor -- what could they say? They said, "Oh, sure, Governor, that's dandy. We'll have a celebration." They had four weeks to get the celebration ready. And they did.

Of course, the Doctor had interested a group of people here in Tuolumne County and primarily Columbia. And they had an organization, the Columbia Progressive Club, here which helped immeasurably. He couldn't do it without the help of the local people, especially the local people of Columbia. So we had the celebration and . . .

Teiser: What was the date of that?

McConnell: July 15, 1945 . . . and they had at least 12,000 people. Everybody helped. It was a do-it-yourself. There wasn't even a hot dog stand. Everybody brought their picnic lunch. Everyone had such a good time!

Mr. Irving Martin of the Stockton Record was most interested in this. He was not a well person at that time, but he came with his nurse regardless. So what we had at Columbia was the capital of the State.

Teiser: Let me put on the tape that there was a legend, well-known, that Columbia was once hoping to be the actual capital of California. And so following that legend you . . .

McConnell: We made it real! Real honest-to-goodness for a day.

Teiser: The governor came.

McConnell: The governor came and he brought everybody of

McConnell: importance, and half the legislature came. Members of the Supreme Court came. Well, you just name them and we had them. And, of course, we had to have some place to sit them down. We have a big fig tree in the back [garden] that was planted when James Wilson's first child, Annie Wilson, was born. (Her sister was born at some other place. She died when she was better than a hundred. Doctor was a pallbearer at both of their funerals. They both were buried up in the Columbia cemetery.)

Well, something had told me that I had better get some soda pop and some beer, and something told me that I had better cook some chicken and buy some bread. Well, fortunately, we had lots of sandwiches and lots of salad, and some of my friends came and they brought things. And so we had the whole kit and kaboodle [in the back garden under the fig tree.] And, of course, they called this "the governor's cottage." And so ever since then we called it "the governor's cottage." But the interesting thing about this little house, almost every governor since Hiram Johnson has been to this house right up to the present time.

Teiser: Our present governor has been here too?

McConnell: Yes. Our most distinguished guest was the President of the United States, Mr. Nixon when he was running for senator. And I went around with her [Mrs. Nixon] with the thimbles. Now we've got them under glass, celluloid thimbles that say, "Vote for Nixon."

Mr. Cavalier had a heart attack in September of the same year, and he wrote a letter from his ranch up near Marysville and said, "Doc, you are the one who is going to have to carry on." Well, Mr. Flood was very kind, and others. And Mrs. Spreckels. . .

Teiser: Alma de Bretville Spreckels?

McConnell: Yes. And, oh, the president of Sunset Magazine . . .

Teiser: The senior Lane, Laurence W. Lane?

McConnell: Yes. And, oh, the sheriff of Los Angeles County. We had these very fine people up and down the state. And of course they came to Doctor's rescue when

McConnell: Mr. Cavalier passed away. Mrs. Cavalier, in Mr. Cavalier's memory, gave money for the Cavalier Museum and his picture is there -- a very fine picture.

The fifty thousand dollars [for Columbia Historic State Park] was raised quite quickly, and before even a year was up. But in this bill which Mr. Mayo had written there was no time limit, and it seemed, I suppose, you had more freedom.

And now going back to Governor Warren. He fell in love with Columbia. And I know the day of the celebration we had a parade and oh, gracious, gracious . . .

Teiser: I remember him riding in that parade in an open carriage.

McConnell: Open carriage with Mr. Cavalier. And it was Eddy Web, an Indian, a stage driver who used to drive a stage in Yosemite [who drove the carriage]. But Governor Warren just loved Columbia. Anything possible, to come up to Columbia, he'd come. If he was going to Jackson, he just had to come around and see Columbia, to see if it was all there.

One thing which impressed him, he said, "You know this is not for our generation. It's for the generations of children to come." And that's the one thing that's absolutely come true. There is just bus after bus after bus of children coming to Columbia. And it's wonderful. They came even when it wasn't restored as well as it is now. The children love it. And when children come past this house, they'll say, "Gee, I'd like to live there." And even the hippies. They're always very polite and respectful of me and they say, "My, you have a beautiful home." I had a bunch just last Thursday.

So there's some charm about Columbia that has always got to people. And I know that Governor Warren was all set to put Doctor on the State Fair Board, and I think he put him on the State Fair Board primarily to know how Columbia was going. He'd keep it close.

Now the reason it's called Columbia Historic

McConnell: State Park! Governor Warren asked Doctor and Mrs. Cavalier to come and have lunch with him one day. And he said to Mrs. Cavalier, "Now, what do you think we should call Columbia?" She said, "Well, I think it should be called Columbia Historic State Park." And that's how it got its name.

And she was always very generous. She decided that we better buy some parking land and so she purchased the parking lot down below the theater. She also purchased this little lot where the arrastra is there.

The governor, when the Masonic Temple was dedicated, came for that. And when the armory was dedicated, he came for that. And he always started his campaign in Tuolumne County and primarily Columbia. He always started from here. He said it was lucky. And so that's a little side that maybe a lot of people wouldn't know.

We still send Christmas cards. They [the Warrens] have been people that when they have known you for a long time -- when he got to be chief justice they still knew you. And that's kind of a nice characteristic. They're really true people and when Mrs. Warren would go on trips she'd always send me a postcard. And, you know, little niceties that you appreciate.

SOUVENIR PROGRAMME



Events Commemorating the Signing of the Legislative Bill by

Governor Earl Warren

... Creating ...

Columbia State Park

Sunday, July 15, 1945

When Columbia was Capital of California for a Day



Elias' Toy Shop". In 1854 Chas. Schneider erected the building as a "Tonsorial Parlor". Capitol of the state of California, July 15, 1945

—Photos in this folder by Pitts Studio

Price, 25c

The Governor's Mansion —for Sunday, July 15, 1945. This beautiful old building was erected for James Wilson over 90 years ago. He was Columbia's first shoemaker. Now the home of Dr. and Mrs. J. E. McConnell



COMMITTEES

General Committee: Senator Jesse Mayo, Honorary Chairman; Dr. James E. McConnell, General Chairman; Arthur Hender, Administrative Chairman; Chas. Segerstrom, Jr., Treasurer; Mrs. Francis Orth Secretary.

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ANGELS THEATRE

Bob Patton, Mgr.
Continuous from 1:15
Sundays
Angels Camp Calif.

THE TRADING POST

Beer and Soft Drinks
— Museum —
George Wright Columbia

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Sundays
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Expert Repairing of all kinds
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James E. McConnell and Earl Warren

McConnell: Of course I'm sold on Columbia State Park.

Teiser: Well, there certainly were problems creating it. When did you say you first met Mr. Warren?

McConnell: He was attorney general.

Teiser: How did you happen to meet him?

McConnell: Well, because Doctor was on the state Republican Central Committee and they would meet. He would go to Sacramento and he would meet the different people.

I don't really know the circumstances when he decided to run for governor. I couldn't historically tell you the correct date. But I do know that my husband was so tickled, and he said, "I'll just do anything for you in Tuolumne County." He had a very fine man by the name of Dr. [Homer D.] Rose, to head up the committee, who was a Democrat. And so it was a bi-partisan affair. But somehow or another Tuolumne County especially always liked Governor Warren. They just fell for him, shall we say. Sometimes you know we hill people are kind of hard to please, but when we like somebody, we like him and we like him forever.

And of course we worked very hard to get him elected governor -- I think that was over Culbert Olsen. Is that correct?

Teiser: The first time.

McConnell: First time. Well, he didn't have much competition the second time. Or the third time.

Teiser: You've known the Knowlands over a long period also, have you not? When did your acquaintance with them begin?

McConnell: Well, I don't know. An awful long time. Well, I don't know whether it was through my father or through politics. One of the two. But you see Davis was not very far from Sacramento. Davis was a little bitsy town and Sacramento wasn't exactly the

McConnell: great metropolis it is now. And we knew people in Sacramento. Of course, the State Fair had a great deal to do with my whole life, shall we say. And that's how we met different politicians, I'm sure of that.

There was a man at the fair at that time who I had known since I was a very small child. In fact, I started riding a horse, a pony, at the State Fair when I was five years old. And, of course, as I grew up the State Fair was the big deal every year. But this Mr. Charles W. Paine, he (of course, I was around under everybody's feet, I suppose) -- he used to let me take my pony on the front lawn of the stadium -- what do you call a race track where you sit for the races?

Teiser: Grandstand?

McConnell: Grandstand. And here I was with a pony down at the far end not interfering with anybody's life. And, of course, I just got to meet all kinds of people. They always were so nice to me. I just thought everybody connected with the State Fair was something special. And I suppose the State Fair really had the responsibility for Columbia State Park if you want to get down to brass tacks. But that's how we met a lot of people. But we didn't meet Governor Warren that way, I'm sure.

Teiser: Was your acquaintance with the Knowland family separate from your acquaintance with Governor Warren?

McConnell: Yes. Yes, that was a separate identity.

Teiser: Did Dr. McConnell know the Knowlands before . . .

McConnell: He knew them through me.

Teiser: Before he knew Governor Warren?

McConnell: Yes. But of course, as I say, the interest became much more jelled because of Governor Warren. Shall we say it that way.

Teiser: I'm not acquainted enough with this period in California political life -- was the Knowland family, at that

Teiser: time when Earl Warren was attorney general running for governor, closely identified with him?

McConnell: Yes, because he had been a very successful county district attorney, and they were very much impressed with him. I think that's why Mr. [Joseph R.] Knowland pushed Doctor by saying, "That's the boy. You help him." And we helped him with no thought of anything in mind and just because it was the right thing to do. Doctor never did anything thinking he was going to get something for it.

Then, of course, Mr. Knowland was very historically minded. He and Mr. Cavalier and Jesse Mayo were the three biggest influences outside of the governor who we had at Columbia State Park. Those were all great people. And it's easier to do something for people that really know what they are talking about and their interests all were pure.

Teiser: [Interruption.] You were saying their interests in Columbia State Park all were pure.

McConnell: Yes. Because what did Governor Warren have to get out of this? He wasn't going to get anything monetarily. After all, we had three hundred people here and you aren't going to get very many votes from here. And Mr. Knowland, it was a dream. And Jesse Mayo did it because it was the right thing. And Doctor did it because he loved Columbia. So that was as simple as that.

Teiser: You said Dr. McConnell started working in the Republican affairs . . .

McConnell: In '32.

Teiser: Was he County Chairman?

McConnell: He was the County Chairman from '38 on.

Teiser: Until the time of his death?

McConnell: He was retiring. Remember, he wasn't a well person. I think he retired the year that he died. Maybe that was it. He didn't run for Central Committee any more.

Teiser: And what was the date of Dr. McConnell's death?

McConnell: December 24, 1961.

Teiser: In his position in the county, he had a great deal of weight with the Republican party in the state?

McConnell: Well, it didn't do any damage, shall we say.

Teiser: Besides working on the election of Governor Warren on those occasions -- was it three terms?

McConnell: Yes.

Teiser: -- and serving on the State Fair Board and in Columbia, what else did Dr. McConnell do?

McConnell: Well, he was interested in promoting good men for state and national offices. And I know that he was very active in Bill Knowland's campaign as United States senator.

News of the Society

JAMES E. McCONNELL

Dr. James Edward McConnell, whose interest and efforts were major factors in the establishment and development of Columbia State Park, died at Sonora, California, December 24, 1961. His sudden death at the age of sixty-one terminated a distinguished career in dentistry and public service.

Born in Superior, Wisconsin, Dr. McConnell came to California as a boy. He attended Sacramento High School and was graduated in dentistry by the California College of Physicians and Surgeons, San Francisco, in 1924, establishing a practice in Sonora that same year. His professional activities included the presidency of the San Joaquin District Dental Association, teaching at the College of Physicians and Surgeons, volunteer service in the county's dental welfare program for children, and membership on the California State Dental Association's legislative committee.

In 1940 Dr. and Mrs. McConnell moved their residence from Sonora to nearby Columbia, buying one of the old gold-rush town's most charming buildings, a frame house dating back to the early 1860's. Their interest in restoring their home with period accuracy went hand in hand with their interest in preserving the town itself, which had been recommended for inclusion in the state park system as early as 1929. Seizing the threatened destruction of some of the old buildings as an opportunity to reawaken interest in the project, Dr. McConnell laid the groundwork for the legislation which, on July 15, 1945, brought Columbia the legendary long coveted honor of being capital of the state of California. On that day Governor Earl Warren declared it "capital for a day," journeying there from Sacramento to sign the bill creating Columbia State Park. Dr. and Mrs. McConnell's home became the capitol building for the occasion.

In the efforts that preceded this event and the following campaign for private funds to match the state's appropriation, Dr. McConnell sought the aid of two prominent members of the California Historical Society, the late William Cavalier, then president, and the Honorable Joseph R. Knowland. Both gave their enthusiastic support, Mr. Cavalier serving as first president of the Columbia Historic Park Association. At their proposal, Dr. McConnell became a member of the California Historical Society in 1945. Following Mr. Cavalier's death, Dr. McConnell became president of the Columbia Historic Park Association.

In 1949 Dr. McConnell, midway in a nine-year membership on the board of directors of the California State Fair and Exposition, supplied and executed many of the ideas that made that year's gold-rush centennial fair an outstanding success. He also headed the State Chamber of Commerce gold-rush centennial celebration committee and that of Tuolumne County.

In addition to these activities, Dr. McConnell found time to serve as Tuolumne County inheritance tax appraiser, county director of the Small Business Corporation, county chairman for the sale of United States Savings Bonds, county chairman of the Red Cross, district governor of the Lions Club, member of the county planning commission, and chairman of the Tuolumne County Republican Central Committee.

Dr. McConnell was a man of gentleness, dignity, and quiet humor. A particularly appropriate gesture in his memory was the lowering of the United States flag over the Columbia State Park fire station next to his home on the day of his funeral.

Surviving are Dr. McConnell's wife, Geraldine Bowers McConnell, a daughter Margaret, Mrs. John Sweeley of Ukiah, and two granddaughters.

RUTH TEISER

The Knowland Family and Earl Warren

Teiser: Joseph R. Knowland had been in office earlier and then was not, is that right?

McConnell: He was a congressman in the early 1900's, and he was defeated for United States senator. In 1914, I believe that was. His father, of course, was in shipping, but he was interested in the newspaper world, and so he became very successful as an editor and a crusader for Oakland. And he was very interested in Native Sons [of the Golden West] and a lot of the things that the Native Sons did.

Teiser: Then his son, William Knowland, was interested himself in politics? Or did he just inherit an interest in it?

McConnell: No, he was interested in it. He was a young man with that look in his eyes. He went to the state legislature from Oakland, and he liked politics and politics liked him.

Teiser: Then, as I remember, he first went to the United States Senate at the time of the death of Senator . . .

McConnell: Hiram Johnson. And this is an interesting thing, too. The day that he was appointed by Governor Warren to the United States Senate we were having dinner with the [Joseph R.] Knowlands, and at that time we were having food rationing. They lived in an apartment house on Lake Merritt, one of the first co-operative-owned. And at that time they had a butler, and so here comes the butler in with this large silver tray, and Mrs. Knowland said, "Now we are celebrating tonight." And when the butler took the cover off the tray, we each had a little pattie of hamburger about four inches across. So that's how we celebrated Mr. William F. Knowland becoming United States senator. So you see it's been a rather interwoven thing with Governor Warren, the Knowlands and us.

Teiser: Do you think that if William Knowland had not gone to the senate that way, he would have run for the senate?

McConnell: I think he was in the air [undecided]. Of course, he was serving as a major or captain in France at

McConnell: the time.

But now going back to the Knowlands again. Of course, Mr. Knowland married one of my shirt-tail relations, or I'm her shirt-tail relation -- whichever it is. I am a Bowers, and the Bowers came to California in the early days and they settled up and down the valley. Some of the relations are buried in Stockton. And my grandfather James E. Johnston came in 1858. And then when Wells Fargo went into the stagecoach business, he got a position driving a stagecoach. And he drove with them very successfully, I think, as long as they had stagecoaches. And then he went to work for people at Marysville or Chico. They had a stagecoach line and he went to work for them. And so he drove stage, and then he went into the farming business. He had a combine harvester.

Teiser: So you're kind of related to the first Mrs. [Joseph R.] Knowland or the second?

McConnell: The third Mrs. Knowland. The first Mrs. Knowland was Bill's and the two children's mother. And Mrs. Knowland the second married Mr. Knowland when Bill was nine or ten months old. She was a southern belle. Then he married Miss Clarise Cook. He met her through Native Sons and Daughters affairs.

Teiser: She was your relative?

McConnell: Yes. She was raised in Stockton. Now she is on the park board -- that's the [state] Park Commission -- and she is just as interested [as Joseph R. Knowland was] and recently was chosen vice-chairman of it. She has been over here, and she's just as interested in Columbia State Park as ever.

Teiser: The people who have been doing the interviewing for the series on Governor Warren's years in California asked me if you knew or if you could shed any light on the attitudes of the Knowland group toward what seemed at that time quite advanced reform attempts by Governor Warren in mental health and in prison reform, and I think he had a medical insurance plan.

McConnell: Well, I don't think I ever heard Mr. [Joseph R.]

McConnell: Knowland speak anything against it. I didn't hear that. And I always thought that Mr. Knowland felt that Governor Warren was a very forethinking person. California, after all, was one of the states that was more "with it," and they were willing to keep up. Now Mr. Knowland, even as an elderly man, was always ahead of his times. He could project himself to see what was good for the State of California. And I have never heard him say anything against what Mr. Warren was saying. And I would think that some of the times I might have heard something. So now whether you can substantiate that . . . But from my own personal thinking, he always thought that the thing to do was to go forward -- never mind what your great-grandfather did.

Teiser: Some of Governor Warren's ideas were really very advanced for that time.

McConnell: Yes. Some of the news media in the East thought that we were a little on the red side out here, I think.

Teiser: Yes. And for a Republican governor.

McConnell: Yes, especially. Of course, I would say he was the governor of all the people.

So, as I say, all I have to know is just Columbia State Park and his being nice to me and friendly and like that. I don't know any of the intricacies -- just some of the things.

Teiser: You weren't in any of those smoke-filled rooms?"

McConnell: Well, I don't think he had any smoke-filled rooms." And he was always nice when I'd come to Sacramento. Why, I could always go in and call on him, and he was just kind of like I was part of the family for some unknown reason.

Teiser: In 1948 when there was the question of Mr. Warren running for vice-president -- do you remember the events?

McConnell: Yes, I remember very well. I think it was rather a shock what happened. It was not anticipated it

McConnell: would be, of course. Now was that the time he ran with Dewey? Well, once he ran with Dewey and he was the vice-president nominee.

Teiser: That's right. That was the '48 one.

McConnell: That was very, very congenial.

Teiser: And Dr. McConnell -- I presume, his main sphere was local rather than getting involved in national campaigning or anything of that sort.

McConnell: Well, except in those days it was more of a personal thing from state and national. Now it's very specialized. I think you were more involved. And I know that Doctor would go to different places and . .

Teiser: Out of the state you mean?

McConnell: Yes. Now [I don't know] whether it did any good or not, but I do know that in those days there weren't so many people. It was more of a personal thing. But maybe he was only personal with the people he knew.

Teiser: Did Dr. McConnell help map out campaign strategy?

McConnell: Well, I wouldn't brag about that. He probably got his ten cents worth in, but . . . you know. The only thing I would say is that I think that he and Mr. Knowland talked over a lot of things. Now that's as far . . . whether anything that Doctor said had anything to do with anybody running, that would be bragging.

Teiser: At least he was asked an opinion.

McConnell: Yes. He was a very good listener, too. I think some of the politicians would talk to him. Not that they expected any great world-shaking answer out of Doctor, but sometimes someone you could trust, you could speak your thoughts to. And I suppose if Doctor looked kind of sour, it . . . that wouldn't be it. But that would be presumptuous for him to say what to do -- how to do it -- I'm sure.

Teiser: When did Joseph R. Knowland die?

McConnell: It was 1966. Feb. 1, 1966.

Teiser: How long before that had he been, in effect, inactive?

McConnell: About a year. Just about a year. But he was still the publisher of the paper. Up until the last few weeks, he was still in there pitching. Just because he was ill with nurses, that didn't mean he wasn't interested in the business.

Teiser: Was he willing to give his son credit? Not all fathers do . . .

McConnell: He was always very proud of Bill. Very proud of Bill. Bill and his father were very close. Bill was very faithful, coming to see his father. And I don't imagine there was any momentous thing that went on in the papers without Bill consulting him when his father couldn't be there. I know that he had signed over different duties when he could not go down there, and depended on Bill to do them, and Bill carried out his wishes.

Teiser: Do you think that Bill Knowland carried out his general political theories, too?

McConnell: Well, sometimes. Not all the time. I would say that probably Bill had his own ideas about some things.

Mr. Knowland was a person who wanted everyone to think for themselves. And if he didn't exactly think like Mr. Knowland, why, well, that was people coming out [i.e. developing]. Mr. Knowland knew that he couldn't live forever, so his people were going to have to do some thinking on their own.

Contributions to the State

Teiser: What do you think his main contribution to California was -- the senior Mr. Knowland?

McConnell: Well, I think the California State Park system. And I think that all the time, the effort, and the money that he spent to bring California history to the people and to have it recorded and to make people aware. I think that that perhaps was his true love, and I know one time we were up at a dedication and he was such a true . . . There were [a few] people going to dedicate a plot, up at Hangman's Tree, which has now been burned down. We were there, and there were the school children and perhaps twenty-five people. And these little school children sang "I Love You, California." And he turned to me and said, "Now, Geraldine, when I die I want 'I Love You, California'" [sung]. So we had to remodel the whole funeral service to get in "I Love You, California." Everybody was weeping. So that was one of the wishes that I had the privilege to carry out for Mr. Knowland. And that was up in this little bit of a place beyond Groveland.

Teiser: Can I ask you the same general kind of question about Governor Warren as governor? You've answered it really in a way, but -- what were his main contributions to California during his years as governor?

McConnell: Well, of course, as I say, I've always felt he was always looking after the welfare of children. That was my impression of him. The children of California were kind of first what he was thinking of. And, as I said, I think he was not a Johnny-come-lately and consequently he had the love of California in his heart. I think he always was a little prejudiced with California for Californians. Now maybe I'm wrong, but that's my idea of Governor Warren. He was a true Californian. And he loved California. And he wanted California to have everything come to her.

Teiser: Do you think that fitted in with your saying earlier he recognized the fact that Democrats existed?

McConnell: Yes.

Teiser: Do you think that was part of his willingness to make the state government representative of the various parts of the community?

McConnell: Yes, I do think so.

Now there's one thing that impresses me about Columbia. There's no such thing as a color barrier here. We have all kinds of people. Every kind of minority group that could possibly be. They're all welcome. They're all treated nicely. And we notice more and more and more of them come to Columbia. I would say that Columbia had the right initiation and the right feeling for everyone. Of course, you must remember that Columbia was settled by the Spaniards and by the Mexicans also. We had lots of Indians. And we had every nationality under the sun here. And perhaps it's still -- from some of us who have lived a long time or our roots go back a long ways -- that still is in our system. People of all nationalities are welcome. There's no such thing as a minority barrier here in Columbia. We even put up with Hell's Angels. How about that? Even when the Hell's Angels come to Columbia, they act decent.

I don't know what there is about this little town. It equalizes everybody, shall we say. Whether it's a Vanderbilt or whether it's somebody down from Stockton or a minority group. We're not impressed with anybody in Columbia, shall we say that? Everybody's just the same to us in Columbia.

And we've had a lot of very fine people work for the State Park [service] here, too. We have an especially good crew right now.

Teiser: Are you implying that some of the spirit is the spirit of Governor Warren?

McConnell: Yes, I think so. He was a very tolerant man. Here or at the California State Fair, he'd say, "Hello, there, how are you?" No matter who it was, he'd speak to them. You know people like to be spoken to. We're all human. I may just be a hillbilly, but I kind of like it.

Teiser: Do you have an opinion on what Bill Knowland's major

Teiser: contributions to the state have been?

McConnell: Well, good government, I would say; that was his main interest. And I don't think there were any shady deals done in his office or any gravy train or whatever . . . That is what I would say. I think that he was, from all I've ever heard of him -- well, I guess it's a trite saying -- he was above reproach.

He sat many a time right in the chair in which you are sitting, and he didn't come to Columbia just because he was running for something. He came to Columbia because he, too, liked Columbia. (I'm prejudiced.) Well, he really did, and he has always been very nice. When I ever see him, why, he always wants to know how things in Columbia are. Well, Columbia's pretty small. A dot on the map. But if he would think of Columbia I would imagine he was interested in good government for California and for the nation.

Teiser: There was some suggestion that Governor Warren's appointment of Bill Knowland to the senate was a matter of political patronage, and a foregone conclusion.

McConnell: Well, I don't believe it was because I know that there were more than one person considered, and I'm sure that Mr. Knowland senior was aware that there was a United States Senate. But I do believe that it was a rather nice surprise to him that he got it.

Now I'm going to go back and say why I think this. I know that Mr. [Thomas H.] Kuchel was a very successful young Senator from Orange County, serving in the California Senate. And he became the State Controller. Mr. Warren picked him, and I'm pretty sure that no one told him who to pick. And I still maintain that's how he picked Mr. Knowland. He wanted a young man; he wanted a man "with it," and that's why he picked Mr. Kuchel for State Controller. And so it could be just as well both ways.

We were probably house guests down there at the Knowland's once a month before Bill was appointed to the senate, and you couldn't help but talk about this one dying or wonder what was happening, and

McConnell: like that. And so, of course, when we got down there that day and he had been appointed, well, Mr. Knowland was kind of halfway as surprised as we were. Of course, we pretended we weren't surprised.

But anyway that was the only parallel that I have, that I happen to know that he did pick Mr. Kuchel for his competence. And I imagine he did the same thing for Mr. [William F.] Knowland. After all, Mr. Knowland was serving with the Armed Forces. He wasn't drafted. He went in by himself. He cut short his political career to become an officer. And I felt that he picked him because he was the best man available and no political . . . now that's my own candid opinion.

Teiser: I wonder if William Knowland was shocked by some of Chief Justice Warren's decisions.

McConnell: Now that is one thing that I just don't know. I think we were all a little surprised, shall we say it that way? But I think Governor Warren is a great humanitarian. I really believe in his heart he wants to do the best for everybody, no matter who. And I suppose you would consider him a great humanitarian. We may not exactly go with some of his theories about the way he did things. Maybe they're too advanced for us to get the message. But I would say that he did it for the best of all and not the chosen few. And it's kind of trickled down so that we middle-class, I'll admit, just don't appreciate some of the things. But I suppose in years to come it will work out.

Men and Attitudes

- Teiser: I always think of the Knowland family as being rather conservative and Mr. Warren being advanced. And so it's interesting that people who seem to be facing in a little different direction can work so well together.
- McConnell: Well, I would say that, of course, Mr. Knowland was of the old school. But I would say one thing, though, I think Mr. Knowland was very modern. Well, after all, he was running a newspaper successfully, and he couldn't run it [only] for everybody who lived in Piedmont. He had to run it for Concord and like that, the new communities. And you had to keep new life and new thoughts, and maybe that kept -- maybe he was a lot younger man than the ninety years old that he was.
- Teiser: You think he was younger in thought than his son?
- McConnell: Well, I don't know that. Anybody that goes surfing and things that Bill does, you can't be very old. You've got to think young. How about me? In a canoe yesterday on the river. I didn't really think you'd see me doing that, either. But you see some of us refuse to settle down. We might as well lie down and die and get a lily if we can't think, "Sure, I'm square -- nobody's going to question that -- but still, on the other hand, I can do things that people that aren't square do and do it in a square way, shall we say."
- But I know that Mr. Knowland certainly was great for preserving history, but he also could see that the buildings here [at Columbia] had to be done in a modern way to look old. And I would say that the paper had an image, but still he wanted the image not to be 1910. And Bill's got a young son there. He's not going to let it be 1910.
- Teiser: Is his son interested in politics?
- McConnell: To my knowledge I don't believe he is. He's pretty well got his nose to the grindstone helping his father in the paper. Very conscientious about his work in the paper. We call him Joey, and he's a

McConnell: to Sonora, he had someone phone up immediately and find out if anything [property] that I had was burnt. Just six weeks ago.

So you can see that he has concern for people. And I don't know whether anybody else told you these little things about him or not, but I know first-hand. After Doctor died he and Helen invited me to come down and go to the races. And so we went to the races at Golden Gate Fields. He took their two St. Bernards, and afterwards he said, "Now, you and the two dogs had better come on with Helen and me and go up to the Russian River.*" So you see he has a lot of concern for people. He doesn't have to be this nice to me, you see. So I, of course, am prejudiced in their favor. I'll have to admit that. But I do think though that if he did anything wrong, I wouldn't like it either. Then I'd feel hurt.

Teiser: Were you sorry to see Mr. Warren go out of the state sphere?

McConnell: Well, no. I was proud as the dickens. I just thought, well, this was the first time I've ever entertained a justice, let alone a chief justice. Pride kind of got the better of me, shall I say. But I really thought, as I say, it could be the longer he's out of being the chief justice and you look back on things -- I'm sure if I were to live ten years longer, everything he did was right. But it's kind of been tough to live with some of it. And the liberalization is something that . . . some of the things . . . maybe the times, and he had to keep up with the times and the people to try to keep things on an even keel maybe. Maybe that's it.

Teiser: Do you think he would have been good or wasted as vice-president?

McConnell: Wasted. I think he was better where he was. I'll admit a vice-president is only a heartbeat away, but a vice-president is really -- no matter how hard they try, they just don't get much and they just don't have much weight. I think he made his mark a lot better.

Teiser: The Regional Oral History Office has interviewed a lot of people and I really don't know all of them. Can you think of people you know who might not be

- Teiser: in the midst of public life who they might not have thought of?
- McConnell: Well, I would say Tuolumne County has been always a little bit prejudiced for Governor Warren. In fact, when he was Governor he practically could do no wrong. So, anybody in here in Tuolumne County would just be an echo of me. I'm speaking for just kind of a general cross-section of people. I'm talking about the people, [both] the most educated and the people that knew him just kind of because he'd say "Hello, there." And I tell you the stars would get in their eyes.
- Teiser: Are there people from other areas or other spheres that you might know who knew him?
- McConnell: I do know that some of the thinking people in Piedmont, the time he was governor, thought he was very fine. Of course when he got a little off to the left, why they would say something, but after all they're extraordinary conservatives, so I would say would be too far to the right. They wouldn't be speaking for the average person.
- Teiser: Were there people whom he associated with whom you feel were to the left?
- McConnell: Well, I suppose there were, but my left isn't very far off dead center. Well, I take it back -- we had a high school teacher that was pretty hot-headed and he was way over to the left, and he thought Governor Warren was it. That's my one experience.
- Teiser: It's indicative of the breadth of his appeal perhaps.
- McConnell: Yes. But I would say the left liked him maybe especially the first eight years [as governor]. That's when I think he was the most popular with most people, his first eight years. And the third term of anything gets kind of -- you're getting into problems then.
- Teiser: Well, there's some of them run into the second.
- McConnell: Yes, that's right. Don't even take the first term.
- Teiser: Can you think, Catherine, of other questions that we should ask?

Earl Warren as a Man

Harroun: Well, what was Mr. Warren like? What kind of man was he really?

McConnell: Well, as I say, of course, I always thought of him as a friendly, courteous person. He has something -- he has a charisma. When he walked into the room whether you knew he was governor or not, he kind of stood out, and he had a very nice manner. [But] he was fearless. If anything was wrong, he'd just stand right up and say so. I've heard him say that a couple of times.

Teiser: Like when?

McConnell: Well, I'm just trying to think. It was something at the State Fair. And I have forgotten what the occasion is now, but I knew that he spoke his piece and he meant it. And he wasn't afraid, that's for sure.

Teiser: He was making a public speech?

McConnell: No, it was some incident. I can't remember whether it was discourtesy that he just didn't go for it or what. Because he was a very courteous person. He was extraordinarily courteous. In all circumstances, when he didn't really have to be.

Teiser: That doesn't fit in with the prosecuting attorney character.

McConnell: No. I could never think of him being a prosecuting attorney really. That would be the last thing I would think of him as. Except that I do know that if the occasion arose, he could come up to it.

Another thing is Governor Warren was so appreciative. If you did anything for him, the least little thing, you'd get a letter of thank you, even if it wasn't necessary at all.

Courtesy and appreciation, I don't expect appreciation. I love courtesy. I'm old-fashioned enough to like that. But as I say he always was so thoughtful. Now, of course, I probably have a different picture of him than a lot of people. But

McConnell: It's such a pleasant thing.

Another thing is one night we had a group of people descend upon us. It was when the armory [at Columbia] was dedicated. We had generals and we had everything. And we have this little house out there [in the back garden for entertaining]. Well, we really had only enough for ten people to eat, but we scurried around, and we had twenty-nine. We had a general here, and the governor said "Say, Geraldine's got a lot of dishes to wash. Why don't you go and help her wash the dishes?" That's a little human thing, you know. Now would you start asking a general to go help Geraldine wash the dishes?

The kitchen was always a focal point. And he'd come and he'd have me phone: "Now you phone up and tell them where I am." No big stuff. I'd phone up.

Of course, as I say, I'm prejudiced, there's no question about that, because of his being kind. But I imagine there's an awful lot of other people. I wasn't the one and only in the State of California to whom he was kind.

Teiser: He's a tall man, isn't he? I can't see him in this house exactly.

McConnell: Yes, he's a big man. This house can accommodate most anybody. It can squeeze them in and out.

Teiser: I go back to the day that he came up here -- for the formal dedication was it?

McConnell: Formal dedication and the signing the bill to make Columbia Historic State Park.

Teiser: Did he sign the bill right here?

McConnell: He signed the bill right down in the lot across from what is now the museum, on a desk that is a Wells Fargo desk in the museum now and which we own and loaned to the museum. And Mr. Irving Martin from the Stockton Record supplied the pen. I don't know where it is; some place safe, I know. It's preserved for posterity when they want to see a pen. He [Martin] wouldn't take it back because he said, "That's a historical pen."



Geraldine L. McConnell, nee Bowers. Mrs. James E. McConnell, granddaughter of pioneer stage driver James E. Johnston, arrived via Panama Canal, 1858.



Earl Warren signing bill to create Columbia State Park. Left to right: Dr. James E. McConnell, Columbia; Mr. John Elwood, Manager, Station KPO; Governor Earl Warren. July 15, 1945.

Columbia

McConnell: Well, as I say Columbia is a dear little place. And if it likes you, it likes you forever. And if it doesn't, it can get rid of you the fastest you ever did see.

Teiser: It puts up with some strange characters, too, doesn't it?

McConnell: We don't have too many strange characters. They're not too comfortable really. It's really remarkable, but I would say that I would be sure that Governor Warren would be awfully pleased the way [it's turned out]. Well, you take the Mexican-Americans, the Chinese-Americans, the Japanese. One day there was a school bus came, and out in front of the gate there was a little white child, a little Chinese, a little Japanese, and a little colored girl. So the little white girl, she says, "Isn't that a pretty house." The little Japanese said, "I love the garden." And the Chinese, he had some similar thing to say. But the little colored, the little black child said, "I'd like to live there." I would say that Columbia assimilates, you know.

Remember Queenie, the beautiful Collie we had? We lost her one day. And I went down to the corner and hollered my head off for Queenie. And a little girl said, "Are you looking for a dog that looks like Lassie?" And I said, "Yes, I am." She says "Well, she's down in the parking lot." So I went down there and there was five school buses. And there were exactly two black children, and Queenie was entertaining the two black children. So you see even the dogs. . .

Teiser: This interview is really about Columbia, too. You yourself have had a great deal to do with gathering material for the museum and the other historical displays.

McConnell: Yes.

Teiser: Would you tell a little about that?

McConnell: Well, we had absolutely nothing to start with, so

- McConnell: we decided that we should get some Columbia-ans. The first thing that we did -- the Wells Fargo building contents were to be sold at a public sale. So we bought that collection up for \$568, some such thing. So then that was the nucleus and after you get a nucleus, then you have no problems. People begin to give interesting things and like that, and I know that Doctor was very generous in giving of our collection.
- Teiser: You yourselves had collected some material?
- McConnell: Yes. We collected considerable material. Some of the old papers that we had from different sources. And then other people would bring things. And so that's how the museum got started.
- Mrs. Cavalier and Doctor really were the two people who gave it the push. And from then on why other people have.
- Teiser: Over the years a fair amount of stuff had remained around here, hadn't it?
- McConnell: Well, a great deal of the things people didn't appreciate, and they were either burned up or thrown away or given away. It hasn't been the easiest thing to get real things for Columbia.
- Teiser: When did Catherine and I go through the material here? 1944 or 1945 I think.
- McConnell: You went through Wells Fargo papers.
- Teiser: We separated the dust from the papers, and put the papers in boxes.
- McConnell: There was a lot left. There were ledgers and things like that. And, of course, the Wells Fargo Bank was very nice about giving back the scales.
- Teiser: We brought those papers back here.
- McConnell: Yes. You brought back those papers. So by and large the people have been very good. Very good. And then they've got a backlog of material.
- Teiser: It seems to me that from time to time I've heard you

Teiser: say that you had some things that you found.

McConnell: Well, we [got them from] people who were related one way or another -- in-laws and like that. And then we purchased a few houses that had some things that would be very interesting to keep for Columbia. And also Doctor and, Columbia was really our great aim -- to get it started. And after it got started, on its own feet, why then it didn't need us so much any more. But you had to have somebody that was unselfish to get the thing started. Now that was number one on the hit parade. You just had to have that done.

And, of course, as I say coming from an old family and in-laws and like that, why they would give us things from time to time. If there was anything that was [given us] that was necessary for the museum, why we'd separate that out and give it to the museum. And now if something came along, I'm sure I'd still do it. But they don't need us as badly now. And some of the things I don't exactly appreciate about the state now. If we gave them something, why it might land up at Chico or something like that because that's the new policy.

When the policy was you had to keep Columbia-ana in Columbia, why I was much more enthusiastic about it. Now that's for publication if you need it. I primarily want things for Columbia. And I would question whether I would give something very valuable of Columbia history away now. Now that's just it. Of course, some of the things we have over there [at the museum] are only on loan. We did not give that desk that Governor Warren used away. That's a loan. Probably I will never take it back, but it is a loan.

And I've given various pieces of money that was found when we excavated around here. And then, of course, we had a ranch and there was a lot of nice old Columbia-ana out there that we gave, and like that.

But the cross shines on from Columbia gold. And that's the nicest thing Doctor did.

Teiser: We know about it, but let's put it on the tape.

McConnell: Well, St. Anne's Catholic, the first big Catholic Church in California (I guess it's authentic) had a beautiful marble cross which was too heavy for the belfry, so it fell down. So when it was restored in 1925 by the Native Sons and like that, they put on a two-inch water pipe cross. Doctor went back and forth and back and forth and looked at that galvanized pipe cross as long as he could stand it. So he went to the local priest, Father Gilmartin. And he said, "Father, we're going to have to do something about St. Anne." And he said, "What do you mean?" "That cross. I can't stand it any longer." Father Gilmartin said, "Well, you gotta go see the bishop."* And Doctor said, "Well, that's no problem. I'll go see Bishop Armstrong.* He and I are pals." So Bishop Armstrong said, "Well, sure, Doc. As far as I'm concerned, but you've got to have the ecclesiastic architect, and you should have the carpenters that they suggest. And you have to go and see the Archbishop to really be able to do it." Doctor went through all the channels [and had it made and put up.]

The cross was made of copper with Columbia gold fused on, and at night [evening] time when the sun is shining on it, it looks like neon. And at Christmas and Easter I have the cross lighted in memory of Doctor. The people who made it were artists and each point of the cross is a diamond to catch the facets of light. It's a beautiful thing.

Teiser: This is not your church?

McConnell: Not exactly. But the interesting thing is the Methodist minister who preached the sermon -- Doctor's funeral sermon, as you remember -- talked about the cross and Doctor always looking up when he went to Sonora and when he came home from Sonora. He always looked up. And I think that was nice.

*In Sacramento.

McConnell: Well, Doctor was, he was an awfully nice person really. He looked up and he tried to do the right thing. And I would say that really, going back to Governor Warren and Mr. Knowland, those two men influenced him as much or more than any other persons. So, of course, I am prejudiced.

And that's another reason why I may fuss about the State doing this, that, and the other thing, but I'm absolutely loyal to Columbia, and they'd have to do an awful lot wrong before I'd get up. Of course, I can tell them when they do anything wrong. We know that. But Columbia's my true love. There's no question about that.

Work with Tuolumne County Indians

Teiser: Your work for the Indians, is this for the whole county or . . .

McConnell: Yes. This is for the whole county.

Teiser: Are they all Miwoks?

McConnell: Well, anybody that's Indian I will see to. But my primary interest is the Miwok Indians. And we have, between this county and Calaveras County, 400 Indians. We have 125 children going to schools, high school or elementary school. They are very good to the Indians in Tuolumne County. They screen them, and some are going to the mentally retarded [schools], and I would say that we do a little bit more in Tuolumne County than in some counties. In fact, I have learned that we do a great deal more for them.

My mission is to see that they get decent clothes and bedding. I belong to the Mt. Diablo Women's Club and I have told them my problems, and they're very good. They bring things by the truckloads or I go down with a pick-up truck like I did to Rossmore last Monday, and bring things home and separate them. We have the rancheria at Tuolumne where there are 40 families approximately. There are more in the winter time than there are in the summer. And, of course, any Indian may pitch his tent up there. He can't have an allotment of land unless it is voted that he may have allotment of land. And then we have what the Indians call (but we people hadn't better call) "chicken ranch," which is down below Jamestown. We have quite a family there. I have 40 children there that I keep clothes for and send clothes to.

The welfare department knows that I am very interested in the Indians. When they have a problem, they're very fast to phone me. And, like Thursday, it wasn't very convenient, but a young man from the welfare department said, "Mrs. McConnell, we just got a man home from the Veterans Hospital. We have an apartment for him, but he had to sleep without any bedding last night. Can you help us?" I said,

McConnell: "What is his name?" And he said, "His last name is Plummer." I said, "Oh, he's an Indian?" He said, "Yes, I forgot to tell you that." I said, "Well, it's nine o'clock. I'll be there by eleven-thirty with the bedding." And he said, "Would you have a few cooking utensils?" I said, "Oh, yes. I can't give you too much. I'm having company for lunch at one o'clock, and it's going to crowd me a little bit." But I got sheets and blankets and a bedspread and a quilt and a pillow and silver, and enough dishes for one man to eat off of, a frying pan, and a tea kettle. And that's the best I could do.

But I do do a lot and we have these children and these families. People come both to the one down at Jamestown and up at Tuolumne. When they haven't any work, they come home to Tuolumne County and, of course, then one of the Indian people will phone me up and ask me for what they need. It's interesting. Our Indians are intermarried. The best mixture I would say with the Miwok is the Mexican. They turn out. The two races, the blood seems to be very compatible, shall we say.

And another thing is we've got a lot of Mexican names. I've been studying more about things since I've been giving talks to churches and things like that. A lot of the medicinal thing have Spanish names, because, you see, the Mexicans came in the 1840's and so there's been a long line. Of course, I don't think there's any such things as a pure blood Miwok [any more]. But this boy that we put through Fresno State and now is the assistant dean at Davis, he is one of the most typical looking Indians that we have. He's not quite as dark, but all the contours of his face. And he's short and squat and fat. We tried to put him on a diet, but he'd diet for a week or two and back again he comes.

But during the 40 years that I've worked with them, it has taken me up until the last five years to see much improvement.

Now some of the girls -- up in Tuolumne they

McConnell: have a very understanding high school, and they teach the girls to cook and sew. Well, I'm more interested in sewing, because they still want to eat french bread and macaroni, and it's not for me to tell them what to eat -- that's somebody else's department.

But they will take clothes that I, that somebody slender can't wear. Indians just don't grow that slim. But they'll take them apart and make things from them. And they didn't used to do that.

And one thing about it, the federal government has not done right by them. They promised them water, they promised them electricity, and they promised them plumbing at Tuolumne. Some, a few, have it, but some of them don't. A great many of them do not. Well, anyway, the government is -- maybe we'll get it. But we have an Indian agent now. We have more people helping than we've ever had before. I've worked with them a long time, but I still would never invade their privacy. I would always ask, so I'll always be welcome.

Transcriber: Laurie Lum
Final Typist: Gloria Dolan

INDEX -- Geraldine Bowers McConnell

armory, California 27
Armstrong, Bishop 31

Bowers, William Charles 1,2,9,14,23
Brown, Mrs. Edmund G. 4

California Historical Society 4
Cavalier Museum 7,27,30
Cavalier, William 4,5,6,7,11
Cavalier, Mrs. William 7,8,29
College of Physicians and Surgeons, San Francisco 2
Columbia, California 2,3
Columbia Historic State Park passim
Columbia Park Association 5
Columbia Progressive Club 5
Cook, Clarise see Knowland, Mrs. Joseph R. (Third)

Dewey [Thomas Edmund] 16

Flood, James 5,6
Fresno State College 2, 34

Gilmartin, Father 31
Groveland 18

Hangman's Tree 18
Hell's Angels 19

Indians, Tuolumne County 33,34,35

Johnson, Hiram 1,6,13
Johnston, James E. 14

Knowland family 9,10,13,14,20,22,23
 Knowland, Helen [Mrs. William] 24
 Knowland, Joey 22
 Knowland, Joseph R. 9,10,11,13,14-15,16,17,18,20,22,23,32
 Knowland, Mrs. Joseph R. (Third) 14
 Knowland, William F. [Bill] 12,13,17,19,20,21,22,23,24
 Kuchel, Thomas H. 20,21

Lane, Laurence W. 6
 Long Bell Lumber Company 2

Martin, Irving 5,27
 Masonic Temple, Columbia 8
 Mayo, Jesse 4,5,7,11
 McConnell, James E. 2,3,4,5,6,7,8,9,11,12,16,23,29,30,31,32
 Miwok Indians 33,34,35

Native Sons of the Golden West 13,31
 Nixon, Richard 6
 Nixon, Mrs. Richard 6

Olsen, Culbert 9

Paine, Charles W. 10
 Panama-Pacific [International] Exposition 1
 Plummer, 34

Republican Central Committee (California) 9,11
 Rosasco, Mrs. 3
 Rose, Homer D. 9

St. Anne's Catholic Church Cross 31
 St. Augustine's Academy, Fresno 2
 Sonora, California 3, 24,31
 Spreckels, Alma de Bretville 6
 State Fair 2,10,19,26
 State Fair Board 7
 State Park Commission 4,14
 State Park system 18
 Stockton Record 5,27
Sunset Magazine 6

Taft, President [William Howard]
Tuolumne County 9,25

University of California, Davis -- Picnic Days 1

Warren, Earl 4,5,7,8,9,10,11,13,14,15,18,19,20,21,24,25,26,32
Warren, Mrs. Earl 8
Webb, Eddy 7
Wells Fargo 14,27,29
Williamsburg [Virginia] 3
Wilson, Annie 6
Wilson, James 3,6

Carey McWilliams

CALIFORNIA'S OLSON-WARREN ERA:
MIGRANTS AND SOCIAL WELFARE

Interviews Conducted by
Willa Baum, Amelia Fry, and Hannah Josephson



Carey McWilliams
1969

TABLE OF CONTENTS -- Carey McWilliams

INTERVIEW HISTORY 1

Interview 1, November 12, 1969. Interviewed by Amelia Fry and Willa Baum.

I	DIVISION OF IMMIGRATION AND HOUSING	1
	Simon J. Lubin and the Simon J. Lubin Society	1
	The La Follette Committee Investigations in California	5
	The 27 1/2 Cent Pay Standard	9
	Red-baiting and the State Relief Administration	15
	Relation with Farm Labor Organizing	19
	An Attempt to Abolish the Division of Immigration and Housing	20
	Some Functions of the Division	21
II	JAPANESE-AMERICAN RELOCATION	27
III	WARREN, AN ASTUTE POLITICIAN AND GOVERNOR	33
IV	THE ADMINISTRATION OF CULBERT OLSON	36
	Assessing Olson as Governor	36
	Presidential Preference Primary of 1940	39
	George Kidwell	41
	Tom Mooney	43
V	THE ADMINISTRATION OF EARL WARREN	44
	Some Comments on Warren's Evolution from Prosecutor to Governor	44
	Bob Kenny	48
	Westwood Lumber Strike	51
	Legislative Lobbying	52

INTERVIEW 2, May 17, 1973. Interviewed by Hannah Josephson

VI	FARM LABOR CAMPS	53
VII	COMMISSION ON IMMIGRATION AND HOUSING	54
VIII	FRIENDS AND ALLIES OF THE COMMISSION	56

IX	PROBLEMS IN THE STATE RELIEF ADMINISTRATION	58
X	JAPANESE-AMERICAN RELOCATION	62
XI	THE STEINBECK COMMITTEE	63
XII	PROBLEMS IN THE DEMOCRATIC ADMINISTRATION	65
APPENDIX A:	Carey McWilliams, "The Education of Earl Warren," <u>The Nation</u> , October 12, 1974, pp. 325-326.	67
APPENDIX B:	Questions for Interview with Mr. McWilliams, 5/17/73, Prepared by Amelia Fry.	69
APPENDIX C:	Announcement of Carey McWilliams lecture, "Is California Still Exceptional? A View from a Distance," presented April 28, 1976	71
APPENDIX D:	Carey McWilliams, "The New Chief Justice," <u>The Nation</u> , October 10, 1953	72
INDEX		75

INTERVIEW HISTORY

Distinguished author, and editor of The Nation from 1955 to 1975, Carey McWilliams was interviewed by the Earl Warren Project of the Regional Oral History Office of The Bancroft Library at the University of California, Berkeley in order to document his several years in public office in California, and his assessment of the state's treatment of the problems of social welfare and migrant labor during the administrations of governors Culbert Olson and Earl Warren.

Three interviews were held over the course of a three-and-a-half year period, the long intervals between sessions necessitated by Mr. McWilliams's busy schedule and the infrequency of oral history office staffers' visits to New York City, where The Nation's offices are located.

The first taping session was held on November 12, 1969, when Willa Baum and Amelia Fry interviewed Mr. McWilliams in his modest office at The Nation, overlooking the rooftops of Greenwich Village. Evidence of his busy schedule and broad interests abounded. File cabinets were plentiful, each one piled high with additional stacks of papers and clippings. From time to time Nation staffers interrupted the taping to pile still more papers on Mr. McWilliams's desk or deliver copy for his approval.

At this first session, discussion ranged over the entire spectrum of Mr. McWilliams's involvement in California government. Several questions remained to be explored in depth, and for this purpose Mrs. Fry returned to New York in February 1971 for an additional taping session. A malfunctioning tape recorder, however, caused most of this interview to be lost under a deafening screech. The transcript of what little useful tape remained was edited in with the 1969 interview.

Two more years passed and it began to appear that the interview might never be completed. At this juncture, author Hannah Josephson, a resident of New York City who had been in our office doing research for her biography of Jeanette Rankin, intervened. Intrigued herself with Mr. McWilliams's career, she volunteered to complete the interview, and fortified with notes and outlines from our research and previous sessions, Mrs. Josephson held the final taping session on May 17, 1973.

The interview was edited for continuity and sent to Mr. McWilliams for additions and corrections. Mr. McWilliams, in Berkeley in April 1976 to deliver the final lecture for the Institute for Governmental Studies

series, California at the Crossroads, returned the manuscript, with only minor corrections and changes.

Carey McWilliams's appointment in 1938 to the post of director of California's Division of Immigration and Housing was part of a New Deal election sweep that destroyed the conservative Republican majority in the state legislature and placed a liberal Democrat, Culbert Olson, in the state house for the first time in the twentieth century. Riding into office on the coattails of President Franklin D. Roosevelt's popularity, Olson (who, Mr. McWilliams notes, "central casting in Hollywood would have picked...out...as the man to be governor: pink cheeks and clear blue eyes and snow white hair and the manner of a governor") immediately filled his administration with liberal appointees who promised to ease the burden of the poor, the unemployed, the elderly, and the migrants.

The Division itself had been the brainchild of early twentieth century social worker Simon J. Lubin, who was concerned with the welfare of an anticipated flood of European immigrants to California as the result of the opening of the Panama Canal. He drafted legislation establishing a state agency to oversee migrant housing and working conditions, which was adopted during Governor Hiram Johnson's first administration. The immigrant flood failed to materialize, and aside from a brief flurry of interest in farm labor camps at the time of the Wheatland riot in 1913, the Division lay dormant until Carey McWilliams saw its potential in improving the lot of Dust Bowl migrant laborers, whose already sorry plight the continuing Depression had gravely deepened. It was McWilliams's book Factories in the Field (along with John Steinbeck's Grapes of Wrath, both published in 1939) that drew national attention to the migrants' condition, and led to his appointment to head the Division.

Other Olson appointments to the Division included Rev. Edgar Wilson, a liberal clergyman; J. Earl Cook, representing the labor movement; Melville Dozier, a professional housing administrator; Dr. Hubert Phillips, a political scientist from Fresno State College; Dr. Omer Mills of the Farm Security Administration; attorney Leigh Athearn; and Mrs. Henry Erdman of Berkeley.

Mr. McWilliams immediately reactivated the Division by inspecting farm labor camps and utilizing a long-forgotten Division power to hold public hearings. In May 1939, for example, when cotton pickers in Madera County struck for a wage increase to 27 1/2¢ per hour, McWilliams and his commission investigated and upheld the higher wage. On the basis of this determination, state welfare authorities ruled that cotton pickers who refused to work for less than 27 1/2¢ an hour were eligible for state relief.

Other Division responsibilities included cooperation with the La Follette Committee in investigating conditions of migrant labor in California, assisting the Farm Security Administration in labor camp inspection, and enforcing the modest provisions of the Labor Camp Act.

Such activities, not surprisingly, aroused the indignation of California growers, who influenced the legislature to pass a bill abolishing McWilliams's position. Governor Olson pocket-vetoed the measure, but criticism and occasional Red-baiting continued.

Red-baiting, Mr. McWilliams notes, was also the bane of the State Relief Administration, which was the target of more critical fire than virtually any other state agency. One root of the difficulty was the influx of young, idealistic, college-trained social workers, unable to find work elsewhere, whose liberal ideas clashed with those of the more traditional department old-timers and with the then-widely-held conservative notions about welfare.

Ultimately, neither the State Relief Administration nor the Division of Immigration and Housing could be fully effective, Mr. McWilliams concludes, in the face of resistant industry and grower leaders and unsympathetic state and county officials. (Attorney General Earl Warren, for example, erected roadblocks to cooperation with the La Follette Committee.) Nor had Governor Olson properly assessed the political climate. By the time he began instituting his reform programs the New Deal was virtually dead, and the nation was gearing up for war.

Pearl Harbor sounded the death knell for the New Deal and simultaneously confronted California with the fact of the Japanese-Americans in her midst. "The sad truth of the matter," notes Mr. McWilliams, "is that you could count on the fingers of two hands the number of so-called public personages in California who opposed mass evacuation of the Japanese." Concerned with the escalating cries for evacuation, Mr. McWilliams persuaded Congressman John Tolan's Select Committee Investigating National Defense Migration to hold hearings in California in the hope of calming unreasonable fears. But the plan backfired when Attorney General Warren presented his carefully documented report that concluded that the Japanese were a serious threat to the security of the state. Later, Mr. McWilliams toured most of the relocation centers and wrote a book about the Japanese-Americans entitled Prejudice.

In assessing the New Deal governor, Mr. McWilliams notes that as a relative newcomer to the state Olson lacked a firm grasp of the complexities of California politics. The timing of Olson's election, moreover, was unfortunate since it coincided with the twilight years of the New Deal.

Earl Warren, by contrast, was an astute, if then-conservative, politician who inherited a state on the verge of enormous wartime expansion. Mr. McWilliams credits the advertising agency of Whittaker and Baxter with changing Warren's public image from grim, earnest prosecutor to hearty, open, family man, although in philosophy he remained basically conservative as governor. Mr. McWilliams cites several examples of Warren's rulings to illustrate this point.

During the three interviews, Mr. McWilliams assesses several further aspects of state government in the Olson era, including the turbulent presidential preference primary of 1940 and Olson's 1939 pardon of Tom Mooney, and comments on the influence of liberal Democrats Robert Kenny and George Kidwell on state government.

Miriam Feingold Stein
Editor

22 June 1976
486 The Bancroft Library
University of California at Berkeley

Carey McWilliams

In its December issue, [MORE] magazine gives its "Rosebud" award to Carey McWilliams as he leaves his post after twenty years of editing THE NATION. Under the title "Always Several Political Steps Ahead," Howard Zinn writes:

..... From Colorado ranching country, he had become a lawyer, then California Commissioner of Housing and Immigration in the late thirties. He was the author of ten books,

including *Factories in the Field*, a non-fiction counterpart of *The Grapes of Wrath*, and works on race prejudice (*Brothers Under the Skin*) and civil liberties (*Witchhunt*).



Carey McWilliams

Carey McWilliams, taking charge of the country's oldest [weekly] periodical (its first issue was July 6, 1865) did more than maintain its plain look, its unpurchasable political independence. During the most tumultuous 20 years of American history, when the government was at its most bullying at home and abroad, . . . he kept THE NATION's voice clear and compelling, its mood indignant, its content devastatingly factual.

On becoming editor, he explained why THE NATION was sorely needed: in the previous forty years, a third of the country's dailies and 3,000 of its weeklies had disappeared. . . . From 1955 to 1975, that process of consolidating control of information intensified. . . . The effect of our controlled

He had written often for THE NATION, and now its editor, Freda Kirchwey, invited him to New York, with repression at its height (Hiss in prison, the Rosenbergs just sentenced to death . . . Joe McCarthy on the loose) to help plan a special civil liberties issue. He stayed to join the staff, and in 1955 became editor. . . . America has no cause to be sorry.

mass culture is, in Marcuse's words, "the atrophy of the mental organs for grasping the contradictions and the alternatives." Against this, *THE NATION* and a few other stubborn publications, Carey McWilliams, I. F. Stone and a handful of other journalists, kept the conscience of America alive, by persistently noting "the contradictions." . . .

THE NATION, always in financial trouble, never with a circulation much above 25,000, has had what McWilliams calls an "uncanny tenacity." Its influence has been greater than publications with 10 times its circulation, because it is read by politicians, teachers, and newspaper people all over the country, to get the nuggets of non-official information that liberal writers can put into conservative newspapers, that socially-conscious teachers can bring out in flag-bedecked classrooms, that maverick Congressmen can use in legislative argument. . . .

THE NATION [was], through the years, several political steps ahead of almost everyone. Special muckraking issues by Fred Cook on "The FBI," "The CIA," and "Juggernaut: The Warfare State." A 1958 piece by Eve Merriam, a decade before the flowering of the women's liberation movement, saying "sex prejudice is still one of the cornerstones of our social structure (you have only to compare the status of any extra woman at a party with that of any extra man)." . . .

Those who have written for Carey McWilliams these past 20 years (I include myself) testify to his kindness, his enormous energy, his amazing skill at picking the right writer on the right topic, his incessant quest for meticulous reporting as well as for thoughtful analyses, and, most of all, his adamant moral integrity. In the tough, dangerous years that remain in this century, we will have need of more like him.

As *THE NATION* embarks on the second decade of its second century, without Carey McWilliams's presence but continuing to bear the imprint of his integrity, it will still honor the promise given in its original prospectus: "THE NATION will not be the organ of any party, sect, or body. It will, on the contrary, make an earnest effort to bring to the discussion of political and social questions a really critical spirit, and to wage war upon the vices of violence, exaggeration, and misrepresentation by which so much of the political writing of the day is marred."

The Washington Post

August 18, 1972

'The Nation's' Editor: A Trend-Setter With a Peculiar Optimism

A Commentary

By Nicholas von Hoffman

NEW YORK—Carey McWilliams isn't a Manhattan magazine editor type. He isn't hip, he isn't trendy, or eccentric or legendary or outrageous or a hard-to-see personage who lives among the richies. If he were like that, *The Nation* magazine, which he has edited for 21 years, would not be the small, seldom seen but immensely important publication it is.

Under McWilliams, *The Nation* first published such diverse writers as James Baldwin and Ralph Nader, and if it wasn't the very first to print Hunter Thompson, it was McWilliams who suggested to Thompson that he write about the Hell's Angels motorcycle gang. The resulting *Nation* article was the basis of a book, and a writing career that has come to special fruition in Thompson's recent work for *Rolling Stone* magazine.

These are only a few of the many names that have germinated from beginnings in *The Nation*. Something like 10 books a year grow from articles in this thin little magazine that costs \$12.50 a year and has a circulation that doesn't exceed 27,000.

But it isn't only careers which the magazine nurtures: it's also ideas and issues. Regular subscribers were being touted onto the truth about Vietnam in 1954. In 1960, *Nation* readers were learning about the true dimensions of the "military industrial complex" in a special issue entitled, "Juggernaut: The Warfare State." A year later another special issue informed them about the true nature and mission of the CIA. Years before anybody else was even asking questions, while the rest of us were sitting back and cheering, the writers McWilliams brought to the pages of his magazine were asking hard questions about every topic from the FBI to urban renewal. Most recently it was another special issue on cable TV that has gotten some of the rest of the media to look at what may be the biggest public swindle since municipalities were giving away trolley franchises.

In the category of *Nation* accomplishments you can see the difference between a Carey McWilliams and many other editors. Other editors try to find out what the trend of the moment is and then get with it; McWilliams doesn't cash in on trends, he makes them.

The Nation, for instance, was the first publication to print the experiences of a former FBI agent—someone who was really in a position to know what was going on inside that organization. This kind of piece has become almost routine today, but McWilliams says, "When we did that one on the FBI you could almost

hear the rest of press listening. Then you could see the delayed reaction here and there with the press saying, 'there may be some merit to the argument.' We broke the ice."

It takes more than a pick ax and courage to be an ice breaker. You have to have the eyes to see the ice and the smarts to get yourself to a frozen body of water. You must have the gift of being able to look at what everybody else is looking at and see what they can't.

Maybe McWilliams received that gift because he was born 66 years ago in Steamboat, Colo., the son of a cattle rancher who went broke in the minidepression of 1920. Not only did he have the family experience to tell him that all stories don't necessarily end well, but he also grew up in a time when native American radicalism was still a force, particularly in the western states where people were fighting the railroads, the mining companies and the eastern banking interests. "This native radical tradition is the only tradition I've ever been able to identify myself with," he says, "it's discontinuous, it disappears, it breaks off, but it always comes back."

It surfaced again in McWilliams' person when the family moved to Los Angeles, and the young Carey, now a lawyer, was trying to do something to help migratory farm workers. His first book, "Factories in the Fields," was on that subject and got him appointed in 1938 to head the state farm labor agency. He must have done a pretty good job because he says that "when Earl Warren was elected governor in 1942 he announced that his first official act was my removal." He also fought with the future chief justice over the removal of the state's Japanese-American population into concentration camps.

Later he was to fight Joe McCarthy, but perhaps his toughest fight is keeping the weekly magazine going. He's too poor to pay writers in anything much more tangible than prestige. It has no advertising and no money to get new subscriptions in the mail to 333 Sixth Ave., although there are probably thousands of people who would find in *The Nation* both news and ideas they won't get in other publications until years later.

None of this either tires or depresses Carey McWilliams. Even getting mugged and beaten the other day in the elevator of his dusty office building didn't take the fight out of him. The peculiar optimism of the native American radical sustains him and enables him to do better what others with more money and more glory do far less well.

I DIVISION OF IMMIGRATION AND HOUSING

(Interview 1, November 12, 1969. Interviewed by Amelia Fry and Willa Baum.)

Simon J. Lubin and the Simon J. Lubin Society

Fry: To begin with, I'd like you to tell us exactly what your duties were as Commissioner of Immigration and Housing, because I am unable to find it written down anywhere.

McWilliams: Well, it's really a tremendously interesting, fascinating story. It's the story of Simon J. Lubin. Lubin was a son or a grandson of David Lubin of the Weinstock-Lubin store in Sacramento which, as you know, is a great institution. David Lubin had been one of the founders of the International Agricultural Society, a very important man in a way, in his special way.

Simon J. Lubin--he must have been his son, not his grandson--went East to school and then decided that he wanted to be a social worker. He spent some time in one of the settlement houses here in New York. He got very interested in immigration, in immigrants and the problems of immigrants to adjust and all that sort of thing. There was a lot of talk preceding World War I that, with the completion of the Panama Canal, the tide of European immigration would be shifted. It would go down around and through the canal, and it would come up and land in California.

So Lubin said to himself, "Why must California repeat all of the mistakes of the East? Why couldn't it learn from those mistakes?" He got the idea of an agency of the state government that would be concerned with the welfare of alien immigrants resident in California, their housing, working conditions and so forth. He drafted the original legislation and, because of his family connections, the Lubin family and so forth, he had the ear of Governor Hiram Johnson. This legislation was passed under Johnson's first administration.

McWilliams: Then, ironically, World War I came along, and the Panama Canal thing didn't develop as Lubin had anticipated that it might develop, because, during the war, all immigration was stopped anyway. But there California was with this agency, you see, and Lubin was the first president of the Commission of Immigration and Housing. The first director [executive secretary] was Carleton Parker who did the book on the migratory worker, The Casual Laborer And Other Essays, I think it's called. Parker had the job that I later had.

They got interested particularly in farm labor at the time of the Wheatland hop-pickers riot. Johnson asked them to investigate conditions that precipitated the riot, and so forth, which they did. From there on out they became increasingly interested in labor camps.

The legislation creating the division had some rather broad powers which hadn't been used for a long time. I don't think some of them had ever been used, until I became commissioner and I used them. One of them was the power to hold public hearings and to subpoena witnesses, that is, to hold public hearings where you could show that you were inquiring into the welfare of alien immigrants resident in California. So it had jurisdiction with respect to that.

It also was given jurisdiction to enforce the labor camp acts of the state of California. It also had jurisdiction over certain types of housing in the unincorporated areas of the state outside of the cities and so forth.

So it is a very unique agency. I don't think anything quite like it could be found in any other state. People, you know, like you, say, "What is the concern of the state with immigrants and immigration?" Well, this was the background. This is why the agency was created.

Fry: Its focus was chiefly farm labor.

McWilliams: It became over a period of time increasingly farm labor. Lubin was very, very much interested in farm labor, a most remarkable man, a very, very remarkable man. Some of us in the thirties organized the Simon J. Lubin Society in honor of Lubin.

Fry: Then you were in contact with Lubin long before you became director.

McWilliams: Yes, I knew Lubin before I became director.

Fry: How did you meet him?

McWilliams: Well, I was working on Factories in the Field and he was one of the individuals I wanted to talk to, of course.

Baum: We have interviewed Mrs. Simon Lubin some long time ago, and I think that if we could get on record your comments about Simon Lubin it would be a valuable addition to that.

McWilliams: Very remarkable man. Very interesting man.

Fry: What did this society do?

McWilliams: Well, the society made a little history in California. It did a study of the Associated Farmers of California, of the background of some of the leaders of this interesting organization. The pamphlet was, I think in many respects, certainly a factor in the election of Culbert Olson, because it had tremendous distribution in California. Over 100,000 copies were distributed and there was a lot of ferment in the state at that time about migrant labor and so forth. I think it had quite an impact.

It did things like that. It issued a bulletin. John Steinbeck had done a series of pieces for the San Francisco News on farm labor. The Lubin Society picked them up and made a little booklet out of them and published it. It's very hard to get copies of it.

Fry: This was before he began his Grapes of Wrath.

McWilliams: Yes. It did things of that kind. It had some very good research files. The woman who was largely responsible for it was Helen Hosmer and she got some help from the people who were in the federal Farm Security Administration. Between them they built up some very good files—I don't know where they are, incidentally--some very good files on the background of farm labor, ownership, all that sort of thing. It was used very extensively. It was used by the La Follette Committee as a sort of a guide, when they came around.

Fry: Do you have any idea if Helen Hosmer is around now?

McWilliams: Yes, I have an address for her.

Fry: In California?

McWilliams: Yes, she is in California.

Baum: Did the Simon Lubin Society have anything to do with [University of California Professor] Paul Taylor?

McWilliams: I'm sure that they did. Just what the connection with Paul was, I don't know. But I'm sure that he was interested in--I'm sure that they did.

Fry: Did you help them with writing at this time?

McWilliams: Well, I helped them with some of the research, and I also used some of their research in Factories in the Field. The files were pretty skimpy at that time when I did Factories in the Field, so there wasn't much to use, but it was a very useful organization.

The society also carried on sort of an educational effort with the small farmers in the state to try and get the small farmer to see what no one has ever been able to get him to see, that his real interests were not inconsistent with the idea of organizing farm labor. It's a very hard thing to get a small farmer to see this. He thinks that if farm labor is organized that farm labor rates go up and that this is somehow going to squeeze him, although he doesn't employ much labor, you know. Actually it would be equalizing the competition to some extent.

It's always been difficult to get individual small farmers to see this, and the Lubin Society did a good job. They went out and held meetings, talked to small farmers, particularly in connection with California's pro-rate law, They showed them how this law was being used to squeeze them and tried to educate them about issues of this sort.

Fry: What was the pro-rate law?

McWilliams: It was a law in California that was in effect a kind of state crop control and marketing mechanism. It's very complicated to get into, but the idea was of rationalizing production, you see. It rationalized it in the interest of big growers, is what it did and was what it was designed to do.

I think the Lubin Society certainly was needed, did a good job, and like many things that happened in the 1930s, it all suddenly ended because of the onset of World War II. I spoke

McWilliams: at a session on the 1930s at the University of Connecticut last spring and I went back over some materials and some notes and things. You see in retrospect some things that didn't impress you at the time, you know?

In retrospect, when you realize that there was about a week's difference in point of time between the date when Madrid fell, and the date when Steinbeck published The Grapes of Wrath, that was the end of the 1930s. I think that The Grapes of Wrath was the last real blast of the 1930s, you know, that captured the sentiment and the feeling. It's a sort of apocalyptic feeling that people had about the time and the decade, but it was all over. The fall of Madrid was the coup of it. Many organizations like the Lubin Society-- [Interruption.] --the Lubin Society, like many agencies and organizations, didn't realize it at the time, but with the outbreak of World War II they were fini. It was all over. And that's what happened to the Lubin Society. World War II.

Fry: All during this time you were free-lance writing? And were you doing anything else?

McWilliams: Well, from 1938 to 1942 I was Commissioner of Immigration.

Fry: I mean before that.

McWilliams: Yes, I was free-lance writing, and I practiced law in Los Angeles for some time.

The La Follette Committee Investigations in California

McWilliams: You see, for example, the La Follette Committee hearings was certainly one of the finest investigations of its kind in the history of the Congress, in terms of meticulous regard for facts and the rights of witnesses, and all that sort of thing. It was a very comprehensive investigation of the whole situation in California farm labor.

And yet by the time the La Follette Committee even started its hearings in California, the show was virtually over. When Senator La Follette presented the recommendations based on the hearings to the Senate of the United States, the date is very, very interesting. The date was October 2, as I recall. October 2, or maybe the 12th, 1942. By then, of course, we were

- McWilliams: involved in World War II and nobody gave a hoot about farm labor in California, and paid not the slightest attention to these recommendations. The whole investigation and the whole effort went, you know, right down the drain. It was too bad, you know, because it was a very--
- Baum: It's still a major source of documentation on that period.
- McWilliams: Oh, dear! Indeed! And it did serve a purpose. But it could have served a bigger purpose.
- Baum: The hearings certainly generated historial background material.
- McWilliams: Yes, it did. It certainly did that. But it might have led to legislation at the time, and we might have made some progress.
- Fry: What did your office have to do with the committee when it came to California?
- McWilliams: Well, I'll tell you. Some of the people on the committee were old friends of mine, personal friends. [Interruption.] For example, Dr. Robert Lamb. He's now dead. Bob Lamb was the staff director of the La Follette Committee. He was an old personal friend. They had other people on the staff that I had known very well and had worked with. It's interesting to note in retrospect that the attorney for the committee was Henry Fowler, who was Secretary of the Treasury under President Lyndon Johnson.

When the committee first came out--they made an exploratory sort of trip--they sent some people out at our request. Some of us in California had said, "Come out and give us a leg-up on this situation, because we have a critical election coming up in 1938 and this would be very helpful, and it would be in line with what the committee has been doing nationally."

Well, they came out and they looked around, and they couldn't really see their way clear. The staff wanted to do it. The staff was always of a mind to do it, but the senators were not too anxious to do it, and they stalled around and they didn't, and then in the spring of 1939 the Grapes of Wrath was published. My book was published at virtually the same time. There was a great stir of interest in California and farm labor, and the committee was then able to get the appropriation to come to California. That's how it came to California. That's why it was able to come to California.

Fry: Do you think it was primarily the impact then of the Grapes of Wrath and your book? It gave it a public—

McWilliams: There's a chap who has done a book about the La Follette Committee and he's checked into all this and that's his conclusion.* He says that the publication of the two books is what finally brought the committee to California.

When they came, as I said, some of the staff people were very good friends of mine and they wanted help: who to talk to, who to interview, where to find certain kinds of information, all this type of thing. Olson asked me to be the liaison between the state government and the committee, which I was--it was sort of informal--to tell them where they could get certain kinds of information and how to organize the hearings.

The Commission of Immigration and Housing presented a large amount of information. I had our staff work up a large amount of data and I drafted the long statement which Olson--Olson was the first witness at the La Follette Committee hearings--I prepared that statement for him, which he read about fifteen minutes before he testified. [Laughter.] But he read it pretty well!

Baum: Didn't various local police departments oppose the work of your commission?

McWilliams: We had trouble with local health officials, in particular; in many cases--not all cases by any means--but in certain counties they were very uncooperative. They wouldn't cooperate with the inspectors from our division. This made it difficult for us because they were supposed to work together. The theory was that there would be cooperation, and there wasn't.

Fry: Are you still talking about the La Follette Committee investigations, or are you talking about general inspections?

McWilliams: Just general inspections.

*Jerold S. Auerbach, Labor and Liberty: The La Follette Committee and the New Deal (Indianapolis, 1966).

Baum: I think it's true that they opposed the work of the La Follette Committee, too.

McWilliams: Oh, yes, indeed. For example, one of the things that they did was: the La Follette Committee served subpoenas on the sheriffs to produce certain kinds of data, for example, purchases and requisitions for tear gas, and so forth.

They were very resistant about this, very mulish, and the Associated Farmers was backing them up, and Mr. [Earl] Warren was very uncooperative. That is to say, he was attorney general at the time and he sort of backed them up in the sense of implying that they didn't really have to produce these records.

But before the hearings were over, the committee got virtually all of the information they wanted.

Fry: Had you asked the attorney general if he could help in this case and if he would urge the law enforcement officers to cooperate?

McWilliams: No, I didn't. The La Follette Committee had. I'm sure that members of the staff of the La Follette Committee had talked to him, but I didn't have any contact with him, because, you see, when Olson asked me to be a liaison between the state government and the La Follette Committee, what that really meant was the state government under Democratic administration.

Warren had been a Republican, so Warren was sort of--

Baum: He was outside of the state government? [Laughter.]

McWilliams: He was sort of an outsider in this situation. We didn't have much influence with him.

Fry: Which counties were those that were particularly difficult with the public health officers?

McWilliams: Well, Madera County. Madera had a very colorful health officer by the name of Dr. Lee Alexander Stone. He was anything but cooperative. He printed handbills and gave them to growers, and growers put them in their labor camps, saying--I've forgotten just how it was worded--"X-number of Madera County labor camps had been inspected and approved (by me). To hell with the Grapes of Wrath and Factories in the Field! Dr. Lee Alexander Stone." [Chuckles.]

Baum: We should get a copy of that for our files!

McWilliams: When you got to know him, a very interesting man. We got along quite well. He was just not at all cooperative.

The 27 1/2 Cent Pay Standard

Fry: That was the county where you had to go and inspect, and you determined that 27 1/2 cents was not excessive, but that this would be considered reasonable pay for cotton pickers.*

McWilliams: That is right.

Baum: Was the significance of this that you as the administrator did make this decision? That this was within your jurisdiction?

McWilliams: It was that, and it was the first time, I think, that any state agency had ever directly interfered with wage rate determination in California agriculture. And they didn't like it a bit.

Fry: You would think that that would have brought the rafters down.

McWilliams: Yes, it did, and they just screamed bloody murder. It's so ludicrous to think about it in retrospect, because seven cents an hour--you know, really. From 20 cents to 27 1/2 cents is not the greatest pay hike in the world, you know. It really isn't. I felt very sheepish about making such a niggardly

*Ed. note: In May 1939, cotton pickers in Madera County struck for a wage increase from 20 cents to 27 1/2 cents an hour. Governor Olson appointed a commission, headed by Carey McWilliams, to investigate. The commission upheld the higher wage and on this basis Dewey Anderson, the State Relief Commissioner, ruled that workers who declined to chop cotton for less than 27 1/2 cents an hour were eligible for state relief. See Robert E. Burke, Olson's New Deal for California, p. 87.

McWilliams: recommendation. The truth of the matter is that even then it should have been much higher. You know, it really should have.

Of course, the effect of it was that the State Relief Administration had a standard. The way that hearing was organized was that the growers were bringing great pressure on Olson to cut people off relief, suspend them from relief, and tell them their job was to be chopping cotton, and so forth.

He was trying to think of ways that he could resist this pressure. Leigh Athearn, who is now an attorney in San Francisco, he might be a source on this too. His father used to be Corporation Commissioner in California. We cooked up the idea that we could hold the hearings. Olson had appointed him a member of the Commission on Immigration and Housing on my recommendation, so we decided we could hold these hearings under this general authorization that the commission had that had never been used. We thought we could try it, and we went to Olson and said, "Well, look. This is one way of doing it. It will take some of the heat off you, and we'll hold the hearings and try and make a sensible determination about a wage rate." And that's the way it happened to come about. I held the first hearing in Madera, as I recall.

Fry: Who did you have testify?

McWilliams: We announced in advance that we would be holding hearings and we indicated the time and place. We notified the State Relief Administration and we notified the migrant workers and some local county officials in the area. The workers showed up. There was quite a crowd, as a matter of fact.

I took the testimony, had a reporter who took the testimony--why they thought they couldn't live on their wage, and what they thought was a living wage, and what the conditions were. Then I drew up a report which was presented to the State Relief Administration and to the governor.

And then later on--I've forgotten the sequence here--but we used the same format in connection with cotton picking, I think. In any case, I can give you the data about it.

In any case, a second hearing was held in Fresno, and there we constituted the commission in a slightly different way. There was the committee that took the testimony, which consisted of George Sehlmeier of the California Grange; someone representing the Farm Bureau; Herbert Carrasco, who was the labor commissioner; Mrs. H.E. Erdman of Berkeley, the wife of Professor

McWilliams: Henry E. Erdman. She was a very prominent club woman and also she was a member of the Commission of Immigration and Housing--

Fry: Excuse me. Professor Erdman was the man in agriculture, wasn't he?

McWilliams: Yes, I think he was. And also I think on that same board was Professor R.L. Adams of the Giannini School of Agriculture.

We held hearings--very big hearings in terms of the attendance and so forth--in Fresno and neighboring locations there. Now, if you'll look at a piece that I did that appeared in the American West some time in 1970, there's some reference in there to these wage rate hearings. I checked the dates, and so forth, at that time.

Fry: I have a copy of that.

McWilliams: Leigh Athearn can also tell you perhaps more about them. He may have some files.

It would be pretty hard, we thought, to fault that committee, in terms of fairness and composition, and so forth. But there was the same wail of resentment about the recommendation that it made.

Baum: Did you have trouble with some of those members, like the Farm Bureau men?

McWilliams: Interestingly enough, we didn't. You know, when you heard the evidence--we had organized the hearing fairly well. We had some federal officials testify and so forth. We got a pretty good picture of the situation. The Farm Bureau man and George Sehlmeier from the Grange were quite reasonable.

We argued, we had differences of opinion and all, but we came to a sensible recommendation. I think Mrs. Erdman and [Herbert] Carrasco and myself filed a sort of minority report, as I remember.* But we had no trouble. We had no fights or

*During the editing process, Carey McWilliams noted that his report as Chief, Division of Immigration and Housing, for the month of September, 1939 contains both the majority and minority reports of the Commission. The hearings, he added, were held in Fresno on September 28, 29, and 30, 1939, and other members of the Commission were William B. Parker and Ray B. Wiser.

McWilliams: anything of that kind. We got along well together.

Fry: What were the results of these hearings? Did they lead to the new policy?

McWilliams: Yes, that's right. As a result a directive was sent to the State Relief Administration saying that people would not have to be cut off welfare if they refused less than this wage. This was, I thought at that time, a ludicrously modest recommendation, but there was tremendous clamor over it. It was the first time that anybody attempted to hold hearings of this sort.

Fry: Did this stick?

McWilliams: It more or less stuck for the current season. I had thought for many years that the whole method of wage rate determination in California agriculture was terribly one-sided and stupidly so, because the growers of a particular crop in a particular area would always meet informally and decide what the going rate was going to be for that season for that crop. Now, what they were doing, of course, they were setting a maximum. They didn't want anyone to pay more than the amount that had been determined.

Now, when they made those determinations workers were never present. No one was ever representing the public or the State Relief Administration or welfare agencies, let alone unions or workers. That was strictly a kind of unilateral determination, and because it was unilateral, it was always resented. You know, even if it was a reasonably fair determination, it was always resented because they had no share. They had no bargaining power.

I thought this kind of wage rate hearing that we were trying to initiate as an experiment was at least a first step in the idea of genuine collective bargaining of a sort--not really collective bargaining, but collective bargaining in the sense that we would take testimony from both sides, instead of just having one side determine what the prevailing rate was going to be.

Fry: Could you give us some names of people in the Associated Farmers whom we can interview on this period?

McWilliams: Well, there were some very interesting, colorful people in Associated Farmers that I knew at that time. A man by the name of Hank Stroebe in Salinas was one of the chief men insofar as farm labor was concerned. A very colorful man who lived in Lodi was Colonel Walter Garrison. They were very vocal spokesmen for the Associated Farmers on labor.

Baum: Do you know if these people are still alive?

McWilliams: I think Stroebe must be.

And, you know, it's interesting. One of the things I did when I was Commissioner of Immigration and Housing was to hold a hearing in Fresno and bring in selected state, county and federal officials to consider what might be done for farm labor. We put together a report, a series of recommendations about what needed to be done. I thought it was a pretty good program.

At that period, it would have been very, very difficult to get any spark of interest from Warren insofar as farm labor was concerned. But it's just fascinating to note what happened when he became governor. One of the things he did when he was governor was to call a conference exactly patterned on the one that I had called, same place, Fresno, California, with state, county and federal officials.

Fry: Your experimental approach to collective bargaining must be what Robert Burke means when he talks of "a proposal to provide for the appointment of state boards to recommend wage scales in agriculture, and thus formalize the procedure begun by Olson and McWilliams..."*

McWilliams: That's right. This is the procedure he's talking about.

Fry: This was voted down by the "nominally Democratic Assembly on May 31 by a vote of 21...to 44." This was 1939.

McWilliams: Yes, that's right.

Fry: What intrigued me was the procedure that you had begun that kind of implies that this might actually have been done in some cases.

*Burke, p. 87.

McWilliams: It was just done in those two hearings, so far as I remember.

Fry: I see, But you were able to set 27 1/2 cents as the minimum.

McWilliams: That's right.

Fry: Yorty had a more drastic measure, "...the creation of wage boards to regulate wages, hours, and living conditions of agricultural workers employed in the production of commodities that were subject to a program of prorated marketing. These boards were to consist of representatives of employers and employees in the proration zone, as well as representatives of the public; and the measure further provided that 'unless the recommendations of the wage board are approved, no program of prorated marketing should be instituted.'""* This never emerged from committee, but I wondered if you knew the "whither" of Yorty's bill.

McWilliams: If I once did, I've forgotten. But I can see the rationale of that kind of appeal. I mean, that would be a fairly sensible way of proceeding.

Fry: Yes, on the surface it looks good. Now, at that time was Yorty a pro-agricultural labor man?

McWilliams: Yes, that was in his radical phase, which didn't last very long. It lasted for a few months. [Laughter.] Literally, a few months, because when the Olson administration took office in January 1939, Sam Yorty and Jack Tenney were Democratic assemblymen; they were flamboyantly "red," but red in quotes. For example, they introduced a joint resolution calling on the state legislature to petition the president of the United States to lift the embargo against loyalist Spain. It was a ridiculous thing, because the state legislature didn't really have jurisdiction in this area. And they did all sorts of things of that sort down to about March or maybe a little later on in the spring of 1939. And then they both did a turnaround.

Fry: Do you have any idea why?

McWilliams: There were a couple of big issues. There was a central valley

*Burke, p. 87.

McWilliams: bond issue which was heatedly debated in the state legislature. And I think it was just about then in connection with that debate and the issues that related to it, that both of them began to take the other side of the political track. It was then that Sam Yorty set up this committee to investigate the state relief set-up, and that gradually became the Tenney Committee, the state Un-American Activities Committee.

Red-baiting and the State Relief Administration

Fry: One of the things that I was wondering about: when the La Follette Committee was here, and you were saying that 27 1/2 cents wasn't too much, the Tenney Committee began investigating the State Relief Administration for having communists on it. I was wondering if there was any connection there with your activities and the problems of the State Relief Administration at that time. The two seem to be connected.

McWilliams: No, I don't think so. I had personal run-ins with the Tenney Committee. For example, I had appointed in the Commission of Immigration and Housing a woman by the name of Rose Segure who had been sort of forced out of the State Relief Administration. It was very ironic that I gave her this position in the State Relief Administration on the strong recommendation of Governor Olson and the then state finance director, Phil Gibson, who later was for many years chief justice of the California Supreme Court.

Of course, red-baiting is a California pastime, or was in those years. It's got to be a built-in aspect of California politics. It went on and on and on and got sillier and sillier as time went on. No one seems to have thought of looking back in retrospect and seeing what happened to the cast of characters involved. What really happened to those people? What did the Tenney Committee do and what didn't it do? What ever happened to Tenney?

Fry: Well, he finally just left the political scene, didn't he?

McWilliams: Not before he ran for vice-president of the United States on Gerald L.K. Smith's anti-Semitic Nationalist ticket! So, I mean, this finale to the Tenney Committee seems to get lost all the time. People don't seem to realize that if they want

McWilliams: to find out about Tenney, they should look at Tenney's career.

Fry: The whole California labor picture was really a confused one at that time as far as organized labor went. I looked at Tenney's legislative record, and it was right down the line for all the labor legislation.

McWilliams: Oh, yes. It was for quite some time. And he was at one time a big wheel in the Musicians' Union, a very rich and very powerful union in Southern California. It was his loss of leadership of that union which was one of the things that greatly embittered him in his attitude towards politics.

Fry: Was there a relationship between this red-baiting and the anti-welfare feelings in the state and the nation?

McWilliams: Well, I'll tell you what it was. The Olson administration was very naive about state affairs, because there had been only a weak Democratic party [in California] for over forty years, and so forth. They had sort of, I guess, encouraged the belief that there were available jobs. As you know, in view of what the situation is now, but even at that time, a governor had only a very limited number of appointive jobs, only about one hundred and some-odd. These hungry Democrats were just camping on Olson's door all the time. That's one consideration.

Another consideration was this: that a lot of very fine, progressive, well-educated young people had gone into social work in the early years of the Depression for want of anything else to do, and many of them had a very fine sense of responsibility and had begun to take social work seriously as a profession. As a matter of fact, some of them went way ahead, I mean, became quite well-known figures in this field in subsequent years. They were very idealistic.

In those years, for example, the annual meeting of the California Conference on Social Work was a very distinctive event. It was an excellent sounding board. There were very interesting sessions, very interesting meetings with a lot of ideas, and so forth.

Now, when Olson started out, he tried to run the State Relief Administration professionally. He listened to the advice of these excellent social workers, many of whom had been very active in his campaign. He put first-rate people initially in charge. Then, of course, almost immediately he

McWilliams: was bombarded by this pressure for jobs, and the professionals, and so forth, resisted this. They knew that this would result in a demoralization of the state relief, if it became a political kind of operation.

They held out for a time, but not very long (I've forgotten--it would be interesting to check the dates when Dewey Anderson was in charge and when he ceased to be in charge, and when Walter Ballou came in), but eventually, to make it short, the Olson administration more or less capitulated. This capitulation had been preceded by red-baiting of the State Relief Administration.

Fry: Was this when William Plunkert was fired?

McWilliams: Yes, yes. William Plunkert, Rose Segure, and others, and that red-baiting of the State Relief Administration was really politically designed to soften them up and to get rid of other people in supervisorial positions so that there would be more jobs available, more patronage. In the process, they pretty much demoralized the State Relief Administration.

Fry: I was going to ask you if you can describe the politics of these people.

McWilliams: Well, Bill Plunkert was a--I don't know what his politics were specifically, but he was progressive, left-wing more or less, but I never thought of him as any kind of sectarian leftist.

Fry: I wondered if there was anything, besides the normal concerns of his job, which to some people would seem "red."

McWilliams: I don't think so. I know that years later he was with one of these private funding-endowed organizations concerned with alcoholics and alcoholism. He's always been a professional social worker to the best of my knowledge, and I don't know what's happened to him.

Fry: Well, then they had this rapid succession of directors. You've already mentioned Dewey Anderson. What kind of a person was he?

McWilliams: Well, he was a very good influence, in my judgment, in the Olson administration. He's very intelligent, knew the state very well, and was a good administrator, and a man of ideals and principles, but he didn't last too long.

- Fry: He resigned. According to my notes, the Los Angeles Democratic Central Labor Committee passed a resolution to fire Anderson and hire a more practical man.
- McWilliams: Yes, well, that's part of this transition that I was speaking of.
- Fry: And I have Walter Chambers succeeding Anderson.
- McWilliams: This gets very involved in intramural politics, but as I remember Walter Chambers was a Catholic. Monsignor O'Dwyer was quite a figure in Catholic social work in the state--Monsignor Thomas O'Dwyer. O'Dwyer had very well established connections with the labor movement, and I think they thought that the State Relief Administration was a bit too progressive, etc. I think that Chambers was appointed in part because of Monsignor O'Dwyer's insistence. That's my recollection.
- Fry: Then Sidney Rubinow came in in June of '40. We're still just up to June of 1940.
- McWilliams: Sidney Rubinow was an interesting fellow. He was from Santa Rosa or St. Helena maybe. And incidentally, Raymond Rubinow was here in New York and was for quite some time an executive for Jack Kaplan's foundation, and he still may be for all I know.
- Fry: So this was one of those families that--
- McWilliams: Yes, that had a tradition of public activities and so forth.
- Well, I think here again Rubinow was just subjected to constant pressure. I think that even Chambers, who was considered more cautious in the administration, even Chambers came up against a lot of political pressures. He got in trouble with the same thing. I don't remember specifically what happened in connection with Rubinow, but essentially somewhere along the line Walter Ballou became director.
- Fry: Well, if he did my notes skipped him. I note that when Rubinow was fired in December, Ralph Wakefield was appointed.
- McWilliams: Yes. Ballou was the political patronage man for the Olson administration. And while he may not have been director of the State Relief Administration, he was very much in the forefront. He may have had some title in connection with the Democratic party in the state of California.

Relations with Farm Labor Organizing

- Fry: I was wondering if in your work, as you worked with the hearings and with the committees and so forth, if you were also working with the people who were trying to organize the farm laborers like the CIO groups.
- McWilliams: Well, we couldn't do very much--
- Fry: It seemed like you had a labor pool there that might have helped.
- McWilliams: During those years, efforts were made to organize farm labor, but they were not successful, and they were not very effective. You are then getting into the period when the CIO was about to appear on the scene, or had appeared on the scene, and the split was beginning to develop in labor. As a consequence of this, you couldn't get any real organized effort in the labor movement in California to make a serious attempt to organize farm labor. I've always had a private feeling that organized labor in California never really wanted to organize farm labor in California.
- Fry: Which organized labor?
- McWilliams: Well, the [California] State Federation [of Labor]. See, if you go back in point of time, you find that organized labor in California had secured for itself a favored position in San Francisco during the Gold Rush period. It wanted to protect that position in the succeeding decades. Among the other strategems that it used were two. One was baiting Orientals. Organized labor was the spearhead of the anti-Oriental movement in California. They used this to very great effect in politics. They also used it, in a way, to keep the craft jobs in the cities pretty exclusively for them, for their membership, you see.

Another strategem that they used was to have a sort of tacit understanding with organized farm groups in Sacramento. When labor asked for certain kinds of welfare legislation, the farm groups would not oppose these requests, but always on one condition, that there had to be written into all such legislation the proviso to the effect that none of this legislation, none of the provisions of this act, shall apply to farm labor. As a consequence of this understanding, farm labor was always excepted, and the farm groups would not

McWilliams: actively oppose what labor wanted. By stressing this kind of strategy, and by going along with the mystique that farm labor was not a white man's job in California--that stoop labor is degrading, no white man would do it, and so forth--they used this kind of argumentation to protect wage rates and working conditions in the cities, particularly where they had an organized base.

My personal impression was that they never were very enthusiastic about organizing farm labor, although from time to time they would make noises about it.

Fry: Well, there was a lot of agitation going on about farm labor.

McWilliams: Oh, yes.

Fry: But your office was not involved in that?

McWilliams: No, it wasn't really a concern of ours. If organized farm labor groups asked us to investigate camps, or something like that, we would do it, and we would process any complaint that came in.

Fry: You would think that the unions would be able to use your research and your figures, and so forth.

McWilliams: They probably did. We published these studies and reports. We gave a monthly report to the head of the Department of Industrial Relations at that time, George Kidwell. Our reports were available, and they probably saw them and used them.

An Attempt to Abolish the Division of Immigration and Housing

Fry: Later on, there was a bill by Assemblyman Desmond to just dissolve the whole Division of Immigration and Housing. This was 1941, and I wondered where that opposition came from. Was this in response to any specific act of yours?

McWilliams: I'm sure that this came from the Associated Farmers, farm groups. We held these two wage-rate hearings before then, and they were very much annoyed.

Fry: They wanted to put it all under the Department of Public Health.

McWilliams: Yes, and abolish the division. They had all kinds of notions about this.

Fry: The vote was sort of overwhelmingly against you, but Olson pocket-vetoed this. Were you able to persuade Olson to do this? How did he happen to pocket-veto it?

McWilliams: You see, the vote in the legislature really didn't reflect—as votes of this kind rarely do—the actual political situation. The division always had very strong support from certain groups in California. We had strong support from all kinds of organizations in Southern California, Los Angeles in particular, from women's clubs, from individual unions which were very strongly in support of the division. George Kidwell strongly supported the division.

So we had more support than you might imagine, including some pretty good newspaper support, The McClatchy newspapers, for example, were always quite fair and they understood the situation. We had some quite respectable support. It's interesting, particularly in those farm counties in California, that you can trace this a great distance back in time. There's always been in many of these communities, even in communities like Salinas, Madera and Modesto and Lodi and Fresno, an undercurrent of resentment at the way that the organized farm groups had called the shots on everything in the community for a long period of time, you know.

Fry: On a number of issues.

McWilliams: On many issues, not just related to farm labor, but generally, their sort of dictatorial attitude. But you'd be surprised how many people in communities of that kind were very much in favor of what we were trying to do, individual lawyers, doctors, school teachers, social workers, librarians, and so forth. Quite a respectable kind of support.

Some Functions of the Division

Fry: Were you in office when any of the farm labor riots occurred?

McWilliams: The big farm labor strikes were substantially over by 1938. They started really in the Imperial Valley, and the federal government appointed a commission to go in and investigate

McWilliams: these disturbances in the Imperial Valley and Simon J. Lubin was one of those three.

Fry: On that commission?

McWilliams: Yes. And because he was on that commission it was a very good report as you might imagine. Very good.

In the wake of that, there were some big farm labor strikes in the San Joaquin Valley, in Salinas and around Madera, and down around Delano, Bakersfield. Big farm labor strikes.

Fry: I was just wondering if there was any event in which you might have been in a position to call upon help from the attorney general, Earl Warren, as a law enforcement coordinator in the event of a farm labor strike. This never happened?

McWilliams: No, it didn't happen, and so far as the labor camps were concerned--you see, labor camps in California would divide up into railroad camps, mining camps, lumber camps, and of course farm labor camps. We would inspect, in the course of a year, maybe 5,000 camps all told, with a huge population at the height of the season, maybe 140,000, 150,000 people in these camps.

The Labor Camp Act was just the absolute minimal fundamentals of a decent camp. Toilets, water, so forth.

Baum: Oil cloth on the table. Wasn't that a requirement?

McWilliams: No.

Baum: Mr. Philip Bancroft* said that it required oil cloth on the tables.

McWilliams: Oh, nonsense. That's not true at all. [Laughter.] There were actually about four requirements. And that's about all. In enforcing that act, we would not work through the

*An official of the Associated Farmers, interviewed by the Regional Cultural History Project, University of California, Berkeley, 1961.

McWilliams: attorney general. We would go to the local health office in the county.

First of all, we would inspect the camp, serve a notice on the camp owner about what needed to be done, go back to see if it had been done. If it hadn't been done, we would then go to the county health officer and make out a warrant and initiate a proceeding against them. It was a misdemeanor to violate the Labor Camp Act.

So we didn't work with the attorney general, you see. We worked with the local--

Fry: And the warrant was served through the local health officer.

McWilliams: Yes. We had very little contact with the attorney general's office. We inspected a lot of camps, and the reports that we'd file--some of them are in the La Follette Committee transcript. You can see that we did get substantial improvements. It was negligible if you look at it in terms of what the standards should have been, but substantial in terms of what had been done up to that time. It was a difficult job because the Division of Immigration and Housing had been almost totally neglected. From the time shortly after Johnson was no longer a factor in California state government, all down through the Twenties and into the early part of the 1930s, it was never heard from. It didn't do anything and was moribund.

Baum: Until you were appointed?

McWilliams: Yes. I think that is a fair statement.

Fry: Is that because the appointees were just political payoffs?

McWilliams: Well, you had governors like Friend Richardson and Frank Merriam and they just weren't interested. The people went through the motions of inspecting labor camps, but they didn't really inspect them.

I was able to get some additional inspectors at first, and they were very good inspectors. Very good. They did a rather outstanding job.

Fry: If the legislature was so unhappy, how did you get adequate funds? It looks like they could have cut off your whole inspectors staff if they wanted to.

McWilliams: They could indeed. But you see, when we first went in we had the momentum of the election. Kidwell had asked me to study the budget and I studied it and made recommendations for additional personnel, and it was granted, and we did get a couple of additional inspectors, which helped a great deal. We got some additional office personnel. Then I tried to do something to revive this immigration side of it which had been moribund for years, and we did. For example, when the Alien Registration Act was passed, in 1940, I realized that a lot of Mexicans in Southern California would be in very serious trouble because they wouldn't know anything about the act to begin with, and they wouldn't have registered, and they would be subject to deportation, etc., etc.

So, we staged a big conference in the auditorium in the State Building in Los Angeles. We got Marshall Dimock out from the immigration division and we had representatives of all the organizations there to explain the requirements of the act to them. Got the forms, all the rest of it, and we put on a real campaign to register Mexican aliens. We registered them. We had them even come into our office and then we would help them with the forms.

We did, I think, a very good job. We had letters of commendation from the Department of Labor in Washington, etc., etc.

Fry: This took a lot of leg work, I guess.

McWilliams: Indeed, it did.

Fry: It sounds like you did a lot of your administrating right out in the field and in the labor camps. Is it true that you traveled around a lot?

McWilliams: I traveled around as much as I could. I found it very educational, shall I say. I think you really have to do that to understand the situation like this. People who lived in California for years don't really know--or didn't know at that time--about labor camps in California. They do not build big labor camps right next to big highways, you know. You have to go off at an angle for a long time, and finally you see a clump of trees and you look around and you say, "That can't be the labor camp." And then you discover that it is, and you find about 120 families there, and that kind of thing. So unless you see it, unless you go out and travel around, you don't have the right perspective about it. I traveled as much as I could. Saw all kinds of camps.

McWilliams: And then there was so much ferment and discussion about this because of the dustbowl migrants coming in. There was a tremendous cacaphony about what a disaster this was, and so forth. So I got caught up in that and did a lot of speaking to service clubs, schools, colleges all over the state.

Fry: You mean Kiwanis clubs, for instance?

McWilliams: Yes, yes, all kinds of things. Radio programs--

Fry: I'm surprised you were invited.

McWilliams: Well, they wanted to hear.

Fry: I'm surprised you were invited anywhere, because you and John Steinbeck, I guess, were the bad guys.

McWilliams: We certainly were the bad guys, there's no doubt about it. In retrospect, it does seem like a great fuss and bother about very little.

Fry: When you talked before these clubs, what kind of response did you get? Did you get nasty questions?

McWilliams: No, no. Once upon a time I had a listing--the office kept it in Los Angeles--of public appearances. It was a pretty impressive list! All kinds of groups, women's clubs, and what not. And by and large it was pretty good.

There were certain things they didn't understand. They didn't understand about the labor camp. You had to explain this to them, and how the federal program operated. They didn't understand that. I think we helped win a better understanding of the Farm Security Administration, because the Farm Security Administration was very much in the doghouse in California. Because of protocol, they couldn't go out and explain the program. It was sort of under wraps.

We did a lot to help them. They had some very fine people in California. Splendid people. The FSA program out here was very good.

Fry: About the question of getting more FSA camps in California: the first two were set up in Marysville and in Kern County, and then more were added after considerable lobbying and effort, I think. I was wondering if you participated in that.

McWilliams: Not actively, just indirectly. As you know, I talked to some of the FSA people when they came out and also knew some of them personally, and in that sense I did, but I had no active role in connection with that.

Fry: I think Rex Tugwell was one of the first people who came out. Did you talk with him?

McWilliams: No, I don't remember speaking with Mr. Tugwell in California, but the people who came in Tugwell's wake I got to know almost immediately and talked to them, like Fred Soule and Omer Mills.

II JAPANESE-AMERICAN RELOCATION

Fry: While you were still in office, the question of the Japanese came up. Just before I turned on the tape recorder, you were telling me of the ways in which you tried to go about getting Earl Warren as attorney general to reconsider the ideas that he was espousing in his speeches, which were to get them removed and have them stay out.

McWilliams: Well, the sad truth of the matter is that you could count on the fingers of two hands the number of so-called public personages in California who opposed mass evacuation of the Japanese. There were a very, very limited number of people. The left-wing groups, and in particular the groups that were influenced by the Communist party, wouldn't lift a finger, because by then Russia was involved in the war, and the war effort was the great big thing and nothing else mattered, and you couldn't get into an issue like this, you see?

There were not very many people in this state who would take a position against the mass evacuation of the Japanese. One of them was Dr. Monroe Deutsch at the University of California at Berkeley who was splendid about the whole thing. For example, to show you how narrow the opposition was, in the whole ranks of organized labor, there was only one person of any consequence at all who went along with what we were trying to do; that is, to get a little rationality into the question. That was Lou Goldblatt, interestingly enough, of the International Longshoremen's and Warehousemen's Union. His union wouldn't support this sort of thing, but Lou Goldblatt did.

Monroe Deutsch tried, indirectly, through various people, to get Warren to reconsider his position, to think about it. I think he made representations to him personally; I'm not sure. But I worked very closely with Dr. Deutsch and there was a Fair Play Committee or something of this kind set up.

McWilliams: He used to send me copies of some of his correspondence which was very interesting.

Then I had the idea, which turned out to be just a fair idea, I had the idea of trying to get the Tolan Committee to come to California and hold hearings on this. The Tolan Committee was a committee of the House of Representatives, and it was a committee on inter-state migration.* It was chaired by John Tolan who was California congressman from, I think, around Oakland. By this time, Dr. Robert Lamb, who had been my friend on the La Follette Committee, was now staff director on the Tolan Committee.

I got in touch with Bob Lamb, and said, "Now look. This situation is deteriorating. It's going to pieces a mile a minute. A very unfortunate mistake is going to be made unless something can be done to stop it. This, after all, does involve migration, because if you remove all these Japanese you are going to have to move them someplace. You are probably going to move them across state lines and this should be of interest to the Tolan Committee." He agreed with me that it was and I talked to some of the members of the committee and lo and behold, they finally decided that they would come out and hold hearings.

This is how they happened to come to California and to hold hearings. Now, the thing that I didn't anticipate was that the hearings would be sort of turned around and used for a contrary purpose by reason of the fact that the spokesmen who we could get to come before the committee to oppose mass evacuation would be less numerous and less prominent and less influential than those who would appear before the Tolan Committee and demand mass evacuation.

So it wasn't the fault of the committee. The committee tried to be scrupulously fair about it, but it did get sort of turned around in a way that I had not contemplated. For example, Warren testified before the Tolan Committee and I think his testimony is extremely revealing. It is extremely revealing because it does show what his attitude was.

*Select Committee Investigating National Defense Migration.

McWilliams: He makes statements that I found very, very difficult to understand from a man like Warren. For example, he said that the Nisei generation gave him far more concern on the score of loyalty and security than the Issei generation did. Well, if you really honestly believe this, as I'm sure he did, then you must have concluded that the American education of the Nisei didn't have any impact on them. It was a nonsensical kind of position, really. But that's what he said, and that's what I'm sure he believed.

I remember he put a map on the blackboard, too, in talking to the Tolan Committee. He said that he thought it very significant that beneath these power lines--it was either Southern California Edison, or one of the power lines--that beneath these power lines, you could find, here, there and elsewhere, the small plots of produce farming. And they just happened to be farmed by Japanese. You know, "Very strange, isn't it, gentlemen, that they should be farming here."

Well, in point of fact there wasn't anything strange about it. Nothing whatever was strange about it, because the power companies had to condemn the right of way, you see, when they built a big power line. Nobody else was interested in taking these little pinches of land. Nobody else could do anything with them but the Japanese. It was completely innocent. There was nothing sinister about it, you see. But he seemed to think that there was.

Here again, I think he was entrapped to a certain extent by his own political support, the kind of support that he had, and a kind of political environment out of which he came in California. For example, he was a very active personage in the Native Sons of the Golden West; he was very active in this organization. The Native sons of the Golden West and Daughters were very anti-Japanese and very insistent on this. They always had been anti-Oriental. And Hiram Johnson--great man that Hiram Johnson was--had this same bias. Johnson was very anti-Oriental. Warren greatly respected Johnson, and, I think, from this source, and from the fact that organized labor, particularly the AFL, had always been bitten with this virus, Warren sort of had this point of view.

I'm sure in retrospect that he would probably feel that he had been wrong about it.

Baum: He might have been overcome simply by his responsibility to protect the state.

McWilliams: Yes, but you know, it's interesting. The people that had that situation thoroughly cased and really understood it were the officials of naval intelligence. They had been studying Japanese communities since the turn of the century, because of the connection with the fleet coming into San Diego. They had been watching at San Pedro; they had been studying. They really knew the situation, and they were very much opposed to mass evacuation. They did not want to see this happen. They thought it was a mistake, and they couldn't take a public position, but they were working behind the scenes and they were opposed. A lot of this is to be found in Allan R. Bosworth's book called America's Concentration Camps.^{*} He was with naval intelligence at the time. And I assume that Warren as attorney general must have known what naval intelligence knew about the situation.

When you look at it in retrospect, I always thought it was extremely interesting who were some of the people that were actually arrested and convicted in connection with one form or another of espionage on behalf of the Japanese, or let's say public relations on behalf of the Japanese. They weren't Japanese; quite the contrary. The Japanese would be much too intelligent to use Japanese for any such purpose. One of these gentlemen was the editor of a very well known-- I knew him very well--editor of some trade journals in San Francisco. These were the kind of people that were useful to them, for purposes of this sort.

Baum: Do you know if Dr. Robert Lamb is still living?

McWilliams: Dr. Lamb is dead. His widow, Helen Lamb, has since remarried. She lives here in New York. She is now Mrs. Corliss Lamont, and I don't know where Bob Lamb's papers and correspondence are. They are either at, I should imagine, Harvard or M.I.T. He taught at M.I.T. for quite some time.^{**} He was a very brilliant economist. First rate.

Of course, one thing: while Earl Warren was strongly in favor of the mass evacuation of Japanese, and while he didn't want any of them returned (he took a very strong position against the return) once the decision was made, he did behave very well.

^{*}New York, 1967.

^{**}Mr. McWilliams, in editing, noted that Helen Lamb Lamont has since passed away.

- Baum: On the return?
- McWilliams: He took a strong position that their rights would be respected and so forth and so on. He didn't cater to this feeling. I think that's to his credit.
- Fry: Well, as far as I've been able to determine, he stopped making the bitter speeches against Japanese rights after the governor's conference in '44. Do you remember any other speech after that in which he--
- McWilliams: Offhand, I don't. I remembered that one in particular because I was very much annoyed by it. But I don't recall offhand any other statements. It may have been that by then he had begun to have different ideas.
- Fry: In about the summer of your last year in office, about June or July, the Japanese resettlement program was getting under way and Dillon Myer, the Director of the War Relocation Authority, has said that they tried to get a program instituted as fast as possible in which Japanese would be allowed to come and work on the farms as farm laborers. Were you at all connected with that or not?
- McWilliams: No. I wasn't.
- Fry: I wondered if this had been launched through your office. Did you work with Dillon Myer?
- McWilliams: Oh, yes. Yes, I did. I visited most of the relocation centers, so-called. I did a book about the relocation program, which was a book about the Japanese-Americans, called Prejudice. Again, very ironic, this year it's been published in Japan, in Japanese.
- Fry: Oh, it has! When was it published here?
- McWilliams: In 1943. So, after all these years--. Anyway, I was very much interested in Japanese-Americans, and in the whole relocation program.
- Fry: What did you think of Dillon Myer's administration?
- McWilliams: Well, I thought that they had some good people as camp administrators. Some of the camps I was in, of course, had some very good people. It was, of course, a mess, and there wasn't any really good way you could handle it.

McWilliams: But I think they did as well as they could. I was concerned about it from several different points of view. The constitutional situation, the civil liberties situation, concerned me, and then I realized that if the Japanese were taken out, something else would have to happen.

You see, when the dustbowl migrants first began to surge in, one of the consequences of that was that they pushed the Mexicans out. The Mexicans began to go back to Mexico, because conditions were so competitive and jobs were so badly paid and scarce, and so forth. They began to leave. I realized that on top of this situation, if you take the Japanese out, you will have still further complications here because by then we were at war. The effect of it was to stimulate more Mexican labor. Before World War II was over, you got this bracero program. After that you began to get wetbacks, and so forth and so forth.

Fry: Your book came out just as the Japanese were returning. What feedback did you get from your book at that point?

McWilliams: Well, I had some unpleasantness in connection with the book, the usual kind of unpleasantness that you would anticipate.

Fry: Like what?

McWilliams: A lot of people liked it very much and so forth. But I remember speaking in a high school down near Downey and explaining why the Japanese-Americans should be permitted to return. Bricks were hurled through the plate glass window and landed on the platform, and things of this kind.

III WARREN, AN ASTUTE POLITICIAN AND GOVERNOR

- Fry: You mentioned that the Native Sons of the Golden West connections and his admiration for Hiram Johnson might have had something to do with Warren's attitudes toward the Japanese-Americans. Do you remember being aware at that time of the American Legion?
- McWilliams: Well, the Legion, too. I mean, they organized groups in California that were—He was, you know, a very astute politician, particularly as governor, in that he knew that as a Republican he was in a somewhat difficult position. He played the role, I think consciously played the role, of an independent Republican in the tradition of Hiram Johnson. Very skillfully, when issues would arise in the state, he would wait and see what kinds of positions the major interest groups and the organized groups like the Legion and all these groups would take. He would usually wait until they had taken a position and, like a general surveying the battle scene, could see how all the forces were deployed. Once he knew that they were pinned down as to what their positions were, then he would decide what he wanted to do. Very frequently they were good decisions; I'm not quarreling with the decisions. He was very astute about playing this kind of politics.

Of course, so far as his being governor is concerned, I said somewhere, something that I think is really true, that is what I was mentioning to you about the end of the 1930s. California should have had a New Deal administration early in the game, so to speak. It didn't, and it didn't get it until Olson came in. But by 1938 the show was about over. So the Olson administration was a postscript to the New Deal. The forces that had made the New Deal by then had pretty much spent themselves, and you were right on the eve of the defense program that was coming along.



McWilliams: When Warren became governor in 1942, by then the defense program was well under way. I, someplace, did say this, and I think it's substantially true. His major problem was how to handle a constantly growing state budget surplus. That really was his major problem. Whereas Olson was scrounging around, couldn't get money for this, that, and the other, had a terrible time, Warren was the beneficiary of this situation. The defense program is what did it. Incidentally, it is interesting to look back on some of Warren's civil liberties positions; for example, about the rights of migrants to vote in California. He took the Associated Farmers' position that if they lived on, for example, Farm Security Administration camps, that this disqualified them from acquiring residence in California, etc.

He also argued this Edwards case about the right of migrants to enter the state, etc.* Yet in retrospect it's very, very funny, because if the dustbowl migrants had not come to California in the years in which they did, and in the volume in which they did, the great defense boom in California would have been enormously retarded. That dustbowl migration into California was providential. It was absolutely providential.

Those of us who were going around in those years trying to say to people in California, "Here, be reasonable about this. These are people, they are American citizens, and they have a right to enter this state, they should be treated like any other citizens, and they should be helped, and so forth, and so forth. They are good people," all of this had no impact on this terrible nonsense that went out about Okies and Arkies and how they're bankrupting the state. They had to be put in sort of migrant ghettos. They grew up on the outskirts of communities like Modesto, and so forth, called "Little Oklahoma" and "Little Arkansas."

*Edwards v. California 314 U.S. 160. Attorney General Warren filed a brief in which he tried unsuccessfully to sustain the constitutionality of a section of the California Welfare and Institutions Code which made it a misdemeanor for anyone to bring into the state an indigent person, knowing that person to be indigent.

McWilliams: These were little rural ghetto communities, their kids going to school and being victimized by snide remarks about Okies and Arkies, and so forth.

Yet when the defense program started, what a miracle it was that these people were there. People who took the anti-migrant position were people, I think, who didn't understand California very well in the first place, and secondly, didn't anticipate this development.

Fry: Leo Katcher* says that when Warren became governor, you were one of the first ones to go. I wonder if that's an accurate statement, because there were a number of people who left office.

McWilliams: It's an accurate statement, but for all of its accuracy it's a silly statement, because all of Olson's appointments of this kind were term appointments. They all automatically expired. There was no more reason for me to present a resignation to the incoming governor than there was for anyone else in the state administration to do it. All of their terms automatically expired December 31.

So when Warren said--I think he said it because he knew it would probably please some groups--that his first official act was that he had removed me as chief of the Division of Immigration and Housing, it was a nonsense statement, because I was then no longer chief of the division. I had ceased to be chief of the division.

*Author of Earl Warren, A Political Biography (New York, 1967).



IV THE ADMINISTRATION OF CULBERT OLSON

Assessing Olson as Governor

Baum: What was your opinion of Olson as governor? It has been said that maybe he fell ill somewhere along the line.

McWilliams: Well, I'll tell you about Olson. He was type cast for the role of governor. Central casting in Hollywood would have picked him out of any group of people as the man to be governor: pink cheeks and clear blue eyes and snow-white hair, and the manner of a governor, and so forth. He was in many respects a very decent fellow.

But you have to remember, too, a couple of things about Olson. The first is that Olson was a fairly recent migrant to California. In other words, he had been a state senator in Utah, and he came to Southern California. He hadn't been in Southern California very long until he was elected to the state senate on this EPIC [End Poverty in California] thing, and when he was elected governor, the same thing. He did not really know that state very well.

This was quite true, because George Kidwell told me; he said, "We were going down lists of people to be appointed and possible appointments to various positions in the state government, and we came to this position, chief of the Division of Immigration and Housing. Everybody was completely stymied. 'What's that?' sort of attitude. Somebody said, 'Well, it has something to do with farm labor.'"

There was a representative there of Labor's Non-Partisan League, and he said, "Well, how about Carey McWilliams? He knows something about it. He's got a book coming out," and so forth and so forth.

McWilliams: Kidwell said, "Fine." Olson said, "Fine," just as casually as this, you see. That's the way most of the appointments were made.

Baum: He didn't have a political group going--

McWilliams: No, he didn't. And to show you how informal and offhand a lot of this was, he didn't know Phil Gibson really very well during the campaign. He knew him as one Los Angeles lawyer knows another Los Angeles lawyer. But it's my distinct impression that they were not close friends and that they hadn't had much relations one way or the other.

Gibson made I think it was a \$2,000 or \$2,500 contribution to the Olson campaign. It's a commentary on the times that that was regarded as a tremendously significant donation. This entitled Mr. Gibson to priority consideration for a top position. Twenty-five hundred dollars. Today it wouldn't buy postage stamps on a mailing in Calaveras County. But that was what it was like in this period.

To get back to your question, I think Olson really didn't know the state, and didn't have a very firm grasp about what the possibilities were. He misjudged the historical situation. He thought that the New Deal tide was running strong, and the New Deal tide was over. And so, by the first two years of the Olson administration, it was quite apparent that it wasn't going any place. It had begun to sputter. He had all kinds of trouble. He didn't understand how to handle the pension groups. He didn't discourage this, but he didn't encourage them. They sort of lost confidence in him, and he'd lost a lot of his support.

Fry: I read somewhere that during this time he really preferred to run for senator instead of governor.

McWilliams: I think he really wanted to. I think it would have made more sense.

Fry: He said he wasn't an administrator.

McWilliams: That is certainly true. He also inherited this very bad situation about the State Relief Administration. As state relief administrations go, it wasn't a bad state relief administration. It was, I think, pretty well run. When

- McWilliams: I say a bad situation, I mean the growing antagonism to any kind of relief, the kind of unreasonableness that you will encounter nowadays about programs like Aid to Dependent Children of welfare families, and so forth. It was like that, and the State Relief Administration couldn't do anything that would please anybody. It couldn't please the people that were on the rolls, and it antagonized the public and so forth. That ceased to be a problem when Warren was elected governor. No problem!
- Baum: Did Olson use you to the best capacity that he could? Did he call on you for advice in areas that you could help him?
- McWilliams: He called on me from time to time to write speeches and to help prepare statements. I wrote his statement before the La Follette Committee. I wrote his statement before the Tolan Committee when the Tolan Committee was directly concerned with migration to California, not with the Japanese-American situation, and other statements of this kind. I wrote some speeches for him.
- Baum: Did he ask you for political advice?
- McWilliams: A time or two. A time or two. But, I was not a personal friend of Olson's. I hadn't gotten into the state administration--Oddly enough, a couple of times he asked me for recommendations to state positions where he couldn't think of anyone, he didn't know anyone. I remember one person I recommended was appointed to a state board of accountancy, something of that sort. And another one was appointed to the state board of cosmeticians. [Chuckles.]*
- Baum: You had a wide range of acquaintances!

*During editing, Mr. McWilliams noted, "I might have added that I did get one important favor from Governor Olson: the release of the composer Henry Cowell from San Quentin Prison; if nothing else this made those four years in the state government worthwhile."

McWilliams: I had a wide range of acquaintances! But I wasn't political in the sense that I had not been active in Democratic party politics.

Another thing that I think bothered Olson a bit: he knew that I was an extremely close friend of Bob Kenny and when they began to have their difficulties, he was a little, I suppose, concerned about that.

Presidential Preference Primary of 1940

Fry: Halfway through this was the Democratic convention of 1940, and you were backing a different slate then.

McWilliams: I was on this so-called [Ellis] Patterson slate.* Now that's a situation that incidentally has gotten somewhat mixed up in the records. I don't wonder that it has, because it was a--

Fry: Well, there were four Democratic delegations there!

McWilliams: What the Patterson delegation business was about was that--despite anything that was said, despite some of the things that I said--what it was really about was this: the official delegation, it was felt, excluded too many people who had made very significant contributions in terms of grassroots activities, hard work, and that sort of thing. It's exactly the same kind of problem that you will find in the Democratic party today in California. It hasn't changed a bit. In other words, it was the contention of the rank-and-file people in the party, the activists, sort of like the California Democratic Clubs today, that that delegation was unrepresentative. I think that in retrospect it was representative enough.

I was trying to say that about the same time the New Republic did a sort of symposium with people on what they thought about foreign policy and the war in Europe, and so

*Patterson was the lieutenant governor. For a description of the Democratic party factionalism in 1940, see Robert E. Burke, Olson's New Deal for California, pp. 139-143.

McWilliams: forth and so forth. I remember that I wrote back to the New Republic at that time and said, "I am in general in accord with what Roosevelt is doing. I have some misgivings about it, but on balance, all things considered, I am in favor of what he is trying to do."

Fry: The other people, as I understand it, that you were talking about, who were considered not to represent enough of the grassroots Democrats, were George Creel, William Gibbs McAdoo (who was senator up to 1938), Isidore D. Dockweiler-- was that the group that--

McWilliams: No.

Fry: That's not the group that didn't represent--

McWilliams: That's still another point of view. That's still another faction. [Laughter.]

Fry: Then there was the John Nance Garner ticket.

McWilliams: In '40?

Fry: In '40. In the presidential preference primary.

McWilliams: It's even crazier than I remembered!

Fry: It's just wild to read about. Then there was the fourth one which was Willis Allen with "Ham and Eggs." The Patterson group was still another one.

McWilliams: Yes. Well, everybody apparently got into the act, didn't they?

Fry: Right.

McWilliams: The people who supported the Patterson ticket were by and large the left wing of the Democratic party. That's the simplest way to put it.

Fry: Are my notes correct about the leaders of the CIO and Labor's Non-Partisan League of California with Mr. E.E. Ward, Sam Houston Allen, Assemblyman Ralph C. Dills of Compton, Paul A. Richie of San Diego, you, and others?

McWilliams: That's the group we're talking about. As I say, the simplest way I know of characterizing that group is to say that it was the left wing of the Democratic party.

Fry: As the result of this you offered to resign. Was that because you felt that on these issues you didn't agree with Olson? Or was it because of some issue in your office?

McWilliams: No, no. It was strictly on this. I felt that it was inconsistent for me to go on this Patterson delegation, and also at the same time be an Olson appointee. This was inconsistent and I explained this to him and said, "If you think this is an embarrassment to you, etc., etc., well, you have my resignation." He didn't accept it.

George Kidwell

Fry: Your boss, the man who was Director of Industrial Relations, was Geogre G. Kidwell, right?

McWilliams: Yes.

Fry: What sort of a fellow was he?

McWilliams: A superb individual. I couldn't find words adequate to express my great admiration for Kidwell. He was an extraordinary man. [Phone interruption.] Great sensitivity, and feeling, and self-educated, largely. In his early life at one time I think he had been a Wobbly, a member of the I.W.W., but had become a very important official in the trade union movement in San Francisco, and had great knowledge and sophistication about labor and labor politics. It was very largely Kidwell who was responsible for the fact that the Central Labor Council in San Francisco supported Harry Bridges in the 1934 strike. I thought this was an act of labor statesmanship on the part of Kidwell. Although he didn't agree with Bridges on a lot of things, and never did, as a matter of fact, he saw the wisdom of supporting him on this issue at that time. He was a very wise and thoughtful and kindly and wonderful person.

- Fry: The book I read said he at least convinced Olson that he should keep you on.
- McWilliams: He probably did. On occasion he said to me, at least, that he thought that I was valuable to the Olson administration as a kind of gadfly, as a kind of person who would take on certain issues, and this was useful to them that these issues be taken on. It was good for the administration. I think that's what he thought. But considering the kind of person that came out of the labor movement in California at, say, the turn of the century period--and I won't mention any names--many of them were very limited individuals in terms of social outlook, perspectives, all that sort of thing, and here in Kidwell was a man--I don't know where he got it. I would be very interested in knowing, in finding out some time. He had a much bigger view of things, you know? Very fine, splendid person.
- Fry: With this labor background, was he working more closely, then, with the labor groups around the state?
- McWilliams: Oh, yes. He was. He had had a great deal to do with many things like this general strike. He was responsible for many decisions in the labor movement in California that were very wisely conceived. Sometimes, of course, he couldn't swing an issue. He'd lose one. I did a review recently of a book; it's a history of the state federation of labor.
- Fry: The Taft book?*
- McWilliams: Yes, the Taft book. I call attention to some of the people who were leaders in the labor movement at that time, Paul Scharrenberg and others, and Kidwell really was a cut above all of them, in my opinion.
- Fry: Is he still around?
- McWilliams: No, alas, he's dead. Died some years ago. Quite some years ago.

*Philip Taft, Labor Politics American Style: The California State Federation of Labor (Cambridge, 1968).

- McWilliams: There was in Kidwell something very much like what there was in Simon J. Lubin, the same kind of concern, the same kind of social idealism, that both of them had. Very much the same.
- Fry: I guess he resigned too, then, when Warren became governor. What did he go into then?
- McWilliams: I don't recall. He was ill, towards the end of the period, and I think he just didn't do much of anything. His term expired, too, exactly the same as the others.

Tom Mooney

- Fry: One of the things I had in mind questioning you about was the problems that Earl Warren was having with labor issues during this period of 1938 to '42, specifically the Mooney controversy, and also the Point Lobos shipboard murder. He and Olson tangled on this.
- McWilliams: That's right. It's a bit of the politics of the absurd that enter into the Mooney case, because everyone would have been much better advised to have pardoned Mooney long before Mooney was pardoned. Olson did it because he had a commitment to do it. I think he did it with some kind of reluctance, but he did it.

I remember going to a party in Los Angeles that was a kind of reception for Tom Mooney after he had gotten out. In prison he was a very impressive human being, courageous, defiant, self-reliant, you know, this kind of man. And you certainly respected him in a prison context. When he was out of prison--and I realized at this reception that I'm speaking of--I thought to myself, "Well, it's all over." And it was. Because he began to act in a kind of absurd fashion. In a matter of almost a week--certainly a matter of months--the big mystique that had developed around Tom Mooney had just vanished, and that was it.

I think Olson was sort of half reluctant to honor his commitments, but he did honor them, and he did pardon Mooney. That's one of the things that it was most important that he did. Kidwell was very much a pillar of strength in the pardon-Tom-Mooney business. He was always for a pardon for Mooney. He was responsible for the labor support that Mooney received.

V THE ADMINISTRATION OF EARL WARREN

Some Comments on Warren's Evolution from Prosecutor to Governor

- McWilliams: Warren, I always thought, was always thinking of where he wanted to go next, politically speaking. My impression of him as a California politician was that he was very cautious. He was pretty much the law enforcement type. No reason why he shouldn't be because that had been his career. He was pretty grim. He was a stickler to the letter of the law, and all this sort of thing, until he retained Whitaker and Baxter when he ran for governor. Then I was amazed--Whitaker and Baxter were friends of mine--I was amazed at what they were able to do with Warren.
- Fry: You still feel that this was a big change in what he was saying?
- McWilliams: I think it was one of the first professional image-changing jobs, and a very good one. I remember still the shock, after Warren announced his candidacy for governor, at seeing in the Southern California papers big photographs of Warren at a grunion hunt on the beaches in Southern California. (You know, where they light bonfires and they all go down--)
- Fry: Yes.
- McWilliams: Here was our candidate for governor in a bathing suit, laughing and running up and down the beach, etc., etc. Now I had never seen a photograph of Warren like this. Never. When I first saw it, I said to myself, "That is the hand of Whitaker and Baxter, They are humanizing this man. They are making him a very--you know."

McWilliams: Prior to this time, if you had known him, you would have, I'm sure, realized that he had a family. But you would not have known it from newspaper photographs. After this time, he was seldom photographed without his family. He's a family man and he's smiling and he's very amiable, and so forth.

I think it was a very astute job. For all I know, this is maybe what he's really like. Maybe the grim prosecutor image was something that wasn't quite real. I don't know which was the true situation. But I'm just saying that after Whitaker and Baxter managed that first campaign, the image changed. If you were to go back and look at California papers and look at photographs, you couldn't help but be struck by the fact.

Baum: You are sort of implying his character changed, too.

McWilliams: I don't know. This is a complex business.

Fry: Also, his job was changing from a very narrow one, from law enforcement, to the entire spectrum of responsibility to the state.

McWilliams: I think that if you looked at that ship-board murder case, in retrospect, there were a lot of things that were very smelly and bad about that prosecution. I don't see how anyone can escape this conclusion. How much he was responsible for, I don't know. But it certainly is not one of the more glowing aspects of his career as a prosecutor. I would say that. I thought it was very bad at the time. I said so.

I thought his attitude about Max Radin was completely indefensible. I think that was done either out of political pique or because he thought there was too much opposition to Radin.* But everyone knew Max Radin, and everyone that knew him, so far as I know, had great admiration and respect for him. I thought that was narrow and petty and bad.

*Max Radin, a lawyer and law professor, was nominated to the California Supreme Court. The nomination was vetoed by Earl Warren, who as attorney general was a member of the Qualifications Commission which passed on judicial appointments. See Burke, pp. 211-212.

Fry: Do you have any indication on why he was so adamant about Radin's appointment to the state Supreme Court?

McWilliams: I don't know. I just don't know. I have no information. What I just said was pure speculation on my part.

Now, as we were saying, when you first came in, it's a very complicated question, not nearly as easily resolved as some people think, about what happens to a politician when he starts out and he's an ambitious politician, and way down at the end there he sees a goal that he's concerned with, the presidency, or the Supreme Court, or something of this kind, and he's concerned with getting there.

When he gets there, there's something about the job that begins to change his point of view and also, in the process of getting there, he's been growing, he's been changing, and so forth. So when he gets there, you can't really say that he's changed his mind, or he's changed his attitude or something. But something changed. In the case of Warren, something definitely did. If you take the statements that he made before the Tolan Committee and compare them with what he said in Brown vs. Board of Education, there's quite a difference.*

Fry: In your article in the Nation on Warren that came out September 18th, 1943, called "Warren of California," you mention the influence--or it sounds like he might have been a captive of the machine that was made up of Joseph Knowland, Chandler, and Hearst, all the big newspaper men.

McWilliams: That's true.

Fry: We are really trying to get more information on his relationship with Knowland, particularly the Bill Knowlands--

McWilliams: I think that's very much a part of the situation. He was a captive--after all, the Republican party in California was a very reactionary party for most of this time. It was run by

*See Appendix A.

- McWilliams: the Knowlands and the Chandlers and others. He had to function in this kind of environment. He had to be very cautious. He had to, I suppose, do many of the things that he did. It's too bad that he couldn't function in a period like today when Otis Chandler is publisher of the Los Angeles Times and you wouldn't recognize the newspaper. It's completely changed.
- Fry: The Oakland Tribune hasn't necessarily.
- McWilliams: No, no.
- Fry: He and the Knowlands seem to kind of pass the leadership in the Republican party back and forth there for a while. They did help each other a lot.
- McWilliams: Yes.
- Fry: But from about 1945 on the legislation that he proposed each year would always contain vast amounts of social reform which was not what we would expect Joe Knowland to support.
- McWilliams: That's right.
- Fry: And I wondered if you happen to know anything about what happened at this point in their relationship.
- McWilliams: I don't know. Certainly one of the people that you should get to interview would be Herbert Brownell about that three-hour conversation that he had with Warren before Warren was appointed to the Supreme Court. That would be fascinating, to have a transcript of that conversation!
- Fry: Do you think that Knowland had something to do with that?
- McWilliams: No, I don't. But I'm just saying that would be extremely interesting.
- Fry: He's here in New York, isn't he?
- McWilliams: Yes. Brownell is. It might be very interesting for you to talk to him. I don't know about Warren's relations with Knowland. I don't know anything about them at all.



Carey McWilliams at The Nation, early 1950s

Bob Kenny

- McWilliams: I think Bob Kenny had an influence on him. I think he liked Bob personally, and I think he saw that many of the things that Kenny believed in were worthwhile, were sound. Bob was right about many of these issues.
- Fry: You were a good friend of Bob Kenny's, weren't you?
- McWilliams: Oh, yes. Yes, indeed.
- Fry: Because you were both working in the same section of the Democratic party.
- McWilliams: Yes. We were very good friends.
- Fry: But Kenny signed on to support Warren for attorney general, didn't he, after the letter.*
- McWilliams: Yes, he did, and many of Kenny's friends thought that this was a foolish thing for Bob to have done, and so forth. But I think that he probably had good reason to believe that that was the thing to do. [Phone interruption.]
- I think Bob indeed had some influence with him, and I think it's very unfortunate in retrospect that Kenny ran against Warren in 1946, because there wasn't any real reason for his running against Warren. I had very, very mixed feelings about that at the time.
- Fry: Where were you? Were you in Los Angeles at the time, and were you in the Democratic party there at the time?
- McWilliams: Yes. And I had very mixed feelings about it then. I had thought that Kenny's career was progressing so splendidly-- he was at that time the only elected Democrat in the state

*Kenny endorsed Warren for attorney general in the 1938 election after Warren wrote him, in response to Kenny's request, expressing a strong pro-civil-liberties position. See Leo Katcher, Earl Warren: A Political Biography, pp. 108-109.

McWilliams: administration. He could have been re-elected without any opposition as attorney general. He could have gone on to serve even another term as attorney general, because he was a young man. He had great political potential. Really he was, in my judgement, a very, very able man.

I think--this is probably personal bias--but when people talk about Warren being a good administrator as attorney general, I don't think he was nearly as deft an administrator as Kenny was. Kenny made it look easy. Never seemed to work at it. People probably didn't know what a good job he was doing for this reason. He had a great career that was unfortunately interrupted when he decided to run for governor against Warren.

Fry: Kenny tells of a meeting with the leading state Democrats in San Francisco in which they really brought the pressure to bear on him to run, for the reason that they wanted a good man to run, although they didn't think he could win.

McWilliams: I think that's unquestionably true.

Fry: And he finally crumbled. Did he talk to you at all during this time?

McWilliams: Oh, yes. I talked to him, and I was in on meetings and that sort of thing. I think you're right, that he had misgivings and reservations about it and that he was pressured. As a personal friend, I had misgivings about it. It was something he should not have done, as it turned out.

Fry: Is that really why he went to the Nuremburg trials as an observer? Was that really to remove himself from the campaign?

McWilliams: Could well have been.

Fry: You look at it in the long perspective now, and that looks like the reason why he did it, but I haven't talked to Kenny about it, and I wondered if he had mentioned it to you?

McWilliams: No, and if he did, I've forgotten it. I think that could have been the case. He's a very astute man, and if he did it he probably had something in mind.

For example, in the zoot suit riots in Los Angeles, Bob was attorney general and he came into Los Angeles from Sacramento, and phoned me very early in the morning to meet him

McWilliams: right away down at the California Club. He had talked to Warren and he said, "You should do something about this. You should get a commission appointed," and so forth. Warren said to him, "Well, go ahead. Set it up. Do it."

Kenny and I talked over the personnel of the committee and made some suggestions, and they were relayed back and they were accepted and then Kenny said to me, "This has got to move very fast, very fast indeed, if it's going to have any quieting effect." He said, "You go ahead and prepare a report for the committee." So, I did.

Fry: You mean a report for—

McWilliams: Draft. I gave it to Kenny and Kenny delivered it to the committee. They made some changes in it and modified it here, there, and elsewhere, and released it. It was all done in a period of just a week or less.

Baum: Not many hearings.

McWilliams: Well, they did talk to some people. But the basic report was there and I did the basic report.

Fry: The membership of this committee was Archbishop Joseph McGucken—

McWilliams: McGucken and there were some others. I've forgotten who the other people were on that commission.

Fry: Were these people who already had quite a lot of contact with circumstances generating the zoot suit riots?

McWilliams: They were people who had a good name and reputation in Los Angeles as being fair-minded public citizens. I just don't remember who the people on the commission were.

Fry: I think I have that. I understand that that was an innovative way to handle something like that, because it was the first time that they hadn't tried to do something by moving in more police, or calling out the national guard.

McWilliams: There was a very ugly opinion in Los Angeles. They were mad. People were sore. The riots themselves were very ugly and I think it was very fortunate that it was calmed down as quickly as it was.

- Fry: Did the newspapers help in this, the Los Angeles Times?
- McWilliams: They were fairly good about it. My recollection is that they were not particularly helpful, but in any event, it did do what it was supposed to do. That was the important thing.
- Fry: I guess with people like Archbishop McGucken on it, it had to get good coverage.
- McWilliams: Sure. There was a lot of ferment in Los Angeles at that time. I guess there still is. But there was a lot of ferment then about Mexicans, Mexican-Americans, and what-not.

Westwood Lumber Strike

- Fry: You mentioned in your article the story which has eluded me in its relation to Earl Warren, and that is the Westwood lumber strike. Do you remember that?
- McWilliams: I don't have the details of it in mind. But there was a bad labor situation at Westwood. It went on and on and on. There were violations of civil rights in connection with it. Warren was, it seemed to me, sort of dragging his feet on this. He wasn't doing anything.
- Fry: Was there any police action involved?
- McWilliams: I just don't remember. Now, it would be interesting to contrast Warren, who was attorney general, with the Warren who became governor. I don't remember anything that he did as attorney general that was in the pattern of some of the things that he began to do when he became governor. Of course, the situation had changed a lot, and being governor is a different thing from being attorney general. You have a different kind of constituency.

Legislative Lobbying

Fry: I'll just ask you one more question. Do you think that Governor Warren did all that he could to clean up the lobbying patterns in Sacramento?

McWilliams: Well, I would say this. I've always thought that he was an honest politician and independent, an independent, honest politician who was very canny and very cagey and very much aware of where some of the dangers are in politics. He might not, as governor, have gone out of his way to inquire into some of these situations, but he never permitted himself to become involved in any way in connection with this.

He is the kind of politician who knows the kind of interests in California that in a campaign you can't accept money from, and the kind of interests that you don't dare accept money from, or if you do you might invite trouble. On that level he was very cautious and very astute.

VI FARM LABOR CAMPS

(Interview 2, May 17, 1973. Interviewed
by Hannah Josephson.)

Josephson: Here is a list of topics to expand on the interview that you taped with Mrs. Baum and Mrs. Fry.*

McWilliams: [Consulting interview outline.] First about labor camps. I was Commissioner of Immigration and Housing in the period from 1938 to 1942, and by 1938 the Farm Security Administration program was really more or less on the way out. Not really, but it was beginning to be phased out.

I think that the camps that they built in California were really initially intended to be experimental camps and if circumstances had taken a different turn they would have expanded the camp program, but as a matter of fact the impetus was going out of the New Deal of that time, and in addition, after 1939, when the Grapes of Wrath was published, and Factories in the Field was published, the growers got very apprehensive about the camps and there was a grower reaction that set in against the FSA camp program. I think that is really why the FSA camp program never really burgeoned, never got very much beyond a kind of experimental stage.

*See Appendix B.

VII COMMISSION ON IMMIGRATION AND HOUSING

McWilliams: Now about the members of the Commission on Immigration and Housing: the Reverend Edgar E. Wilson was a Protestant minister in the vicinity of Fair Oaks near Sacramento, a very fine person, a liberal, decent, socially-minded clergyman who had an interest in farm labor.

J. Earl Cook was the patronage, so to speak, of the labor movement. He was from Oakland and was with one of the AFL unions.

Josephson: I didn't understand your word "patronage."

McWilliams: He was labor's patronage, so to speak. Melville Dozier, Jr. was a professional housing administrator from Los Angeles. Dr. Herbert Phillips was the political scientist, social scientist, from Fresno State College, a very, very fine person who had long shown an interest in farm labor in California. And Dr. Omer Mills was, of course, with the Farm Security Administration and he was in effect the liaison person between the Division of Immigration and Housing and the Farm Security Administration.

At other times we had some other members of the commission. We had, for example, Leigh Athearn, who was for a time a member of the commission, and Mrs. Henry Erdman of Berkeley, whose husband was a retired professor at the University of California, and she was a very good member of the commission.

You asked about the two staff people, one by the name of Frank Andreis and one by the name of Ed Brown. These

*Mr. McWilliams, in editing the transcript, questioned this spelling; "it may have been De Andrus or De Andreas or D'Andreas or some such."

McWilliams: were old-time employees, civil service employees of the division. They were with the division when I was appointed chief and they had been there for years. They had, I would say, more interest in their civil service status and retirement and the rest of it than they had in the work of the division. I didn't get along very well with either one of them and we had constant problems, so to speak.

VIII FRIENDS AND ALLIES OF THE COMMISSION

McWilliams: About Grace MacDonald,* we are old friends and have known each other for many years and I was in touch with her about all kinds of issues related to California politics during the years of the Olson administration. But Grace's primary interest was in small farms, small farmers rather than in farm workers per se, so therefore she was not directly related to the work that we were trying to do through the Division of Immigration and Housing.

[Congressman] Jerry Voorhis: I had no contact with Jerry Voorhis during the years that I was still Commissioner of Immigration and Housing. I guess for part of that time he was in Congress--most of that time, I guess--and we simply had no occasion to see each other or to talk to each other about farm labor or matters of that kind.

I had very long-term relations with the Tolan Committee, which was the congressional committee on interstate migration chaired by Congressman John Tolan.** The staff of that committee were, some of them, very good friends of mine, and we got the committee to come to California to hold hearings when it was being questioned whether the Japanese-Americans should or should not be evacuated.

*Retired executive secretary of the California Farmer-Consumer Information Committee, formerly the California Farm Research and Legislative Committee.

**The Select Committee Investigating National Defense Migration.

McWilliams:

I was instrumental in getting the Tolan Committee to come to California and hold hearings because I thought it would possibly have a restraining effect on public opinion in California. It didn't work out that way, but some of the people on the Tolan Committee--that is, some of the staff people--were individuals who had been on the staff of the La Follette Committee and I had known them for years, including the late Dr. Robert Lamb, who was an old friend of mine.

Also in connection with the hearings that the Tolan Committee held in California about migration into the state, I testified before the committee in San Diego and also prepared the testimony that Governor Olson gave before the committee.

We had no contact with Senator Hiram Johnson. He was then more or less emeritus and we just had no contact with him.

Sheridan Downey I knew very well and liked him very much as a person, but he had virtually no contact with us in connection with the work we were doing.

The same was true with respect to Manchester Boddy of the Los Angeles Daily News. We were extremely good friends and saw each other very frequently and didn't agree about too many things but always managed to maintain a very friendly cordial relationship. I would say that by and large he was sympathetic to farm labor. He was a man of very decent social impulses but he was interested in utopian ideas and he was very largely responsible for the extraordinary rise of technocratic ideas in Southern California in the Depression years.

He seemed to be sympathetic to the candidacy of Upton Sinclair, but as the campaign unfolded he became less and less interested in Sinclair and I remember very well one occasion when Upton Sinclair and his press aide, Robert Brownell, met at Boddy's country estate at a meeting where I was present and we thought--Brownell and I thought--we would be able to get Sinclair and Boddy to reach a sort of meeting of minds, but we never did. For the seven days preceding the election, Mr. Boddy was out of town and his column was filled for about seven days running with excerpts from Plutarch's Lives, so he never really got around to saying that he was not supporting Upton Sinclair.

IX PROBLEMS IN THE STATE RELIEF ADMINISTRATION

McWilliams: About the State Relief Administration: it was indeed in constant turmoil from the time that Olson became governor. I would say that there were a couple of basic reasons for this turmoil.

One was that the Democrats had not been in power in Sacramento for forty years. They had no conception really of the limitations of political patronage. They did not realize that the number of appointive jobs at the disposal of a governor was very limited by that time because most of the jobs were under civil service, so I don't know how many jobs Olson had at his disposal, but let's say it probably was not more than one hundred and fifty, a very limited number of that kind, and when all of these hungry Democrats began looking at the newly-elected governor of California, the first Democrat to be elected in forty years, they all had visions of jobs and there weren't any jobs. That is the truth of the matter. There were a very limited number of jobs.

So after a period of time the pressure developed to try and find spots for them in the State Relief Administration. Olson had started out with a concept of a very professional administration for the State Relief Administration. Dewey Anderson was a fine person and he was the first director of the State Relief Administration. He started out and really tried to do a thoroughly professional job with the administration.

But as this memo [interview outline] points out, he didn't last very long and he was succeeded by Walter Chambers, who was persona grata with the Catholic church. I think Olson thought that this would be a help in mitigating the criticism that was beginning to develop about the State Relief Administration, the fact that there were radicals in

McWilliams: the State Relief Administration and so forth. But as the memo again points out, Chambers didn't last very long.

So the administration of the State Relief Administration began to go from bad to worse and Olson attempted to intervene; that is to say, he had certain of his, well you might say, his Haldemans and his Erlichmans who were trying from a distance to sort of run the State Relief Administration. And things began to go from bad to worse. At that time there was a very strong social work organization in California which was often critical of Olson's actions, policies, and appointees.

The California State Conference of Social Work in those years was the outstanding platform for the projection of ideas and programs. The social work field had been invaded by young people out of college and university who had not been able to go forward with education in the professions during the Depression years and who were extremely energetic, idealistic, and who brought a breath of fresh air into the whole atmosphere of social work in California.

The California State Conference of Social Work was a very important, influential organization. They tried hard to get the Olson administration to adhere to its professional standards, the standards that it had started out with, and it just didn't work. The standards began to disintegrate and the maladministration, if you want to call it that. of the State Relief Administration was one of the most persistent problems that the Olson administration had to contend with during its term of office.

As a further postscript, I might simply say this: I have mentioned the fact that social work suddenly in the middle and the latter part of the 1930s became a very interesting field for young people in California because they were not able to carry on their careers in other ways. So they went into the State Relief Administration and they got interested in social work. Later they went back to college, in many instances got their graduate degrees and their Ph.D.'s, they went into agencies like UNRRA [United Nations Relief and Rehabilitation Agency] and the War Relocation Authority, and they were very influential people in later New Deal programs and programs under the Truman administration.

McWilliams: Now some of these young people when they first went into social work provided much of the vitality and drive that was in the association of social workers in the state of California. As you would expect they began to generate some differences with the old line professional social workers of the state. In some instances they made converts of these more conventionally trained older social worker types and in some cases they aroused nothing but opposition.

Josephson: Because of their radicalism?

McWilliams: Because of their radicalism and because of their feeling that relief should be really relief and it should support people and it should have standards, and it should be fairly administered, and so forth. That tension developed between the conventional type, established social workers and these younger people who were drawn into social work as an emergency, many of them with no thought of making a career of it at all, just to have a job. Yet, as I say, many of them became quite well known in public administration in the years after the Olson administration.

They were a real force in the State Relief Administration. They tried to do a good job, but the political pressures of the state were not compatible with really what they wanted to do.

Another reason of course for all of the SRA's problems was that the relief loads were very heavy because this was at the end of the Depression years. But as we got nearer to 1942, when Olson left office, the defense program was coming along and the whole social economic outlook began to change and the ambitious plans that, for example, John R. Richards* who is now mentioned here [in the interview outline], had for getting people off relief and into self-help cooperatives and that sort of thing, sort of petered out because of the turn that the economy had taken.

*Chairman of the Commission on Reemployment. Appointed Director of Finance by Governor Olson.

McWilliams: A couple of other names to mention here: You mention William Plunkert.* Well, he was very prominent in the field of social work as was Rose Segure, and they were both thought of as being reds or radicals of some kind or other. I doubt that either was, and I knew them both very well. Plunkert later came East and worked as a social worker with one of the private organizations in New York having to do with alcoholics. He died a year or so ago.

When Rose Segure left the State Relief Administration. John R. Richards and Olson asked me to provide a job for her in the Division of Immigration and Housing, which I did. She had work in connection with the programs we had for our assistance of aliens in the state of California.

George Killion** is mentioned here. He was a very influential person in the Olson administration. Just as a matter of no particular importance, he was born in the same community in Colorado where I was born. We are both from Steamboat Springs, Colorado, and now of course he is a very important industrial leader in the state of California. But he was extremely influential in the Olson administration.

*Social service director of the SRA.

**Successor to John R. Richards as Governor Olson's Finance Director.

X JAPANESE-AMERICAN RELOCATION

McWilliams: With respect to the removal of the Japanese, I think that the mass evacuation of Japanese-Americans did have a tendency to accent the demand for farm labor in California at that particular time because they were evacuated after Pearl Harbor, that is to say during 1942. We were then at war, the demand for farm labor was increasing, and the removal of the Japanese had a tendency to underscore the need for farm labor.

But I think that along with that as a factor was the related factor that the defense program had come to California, and the so-called Okies and Arkies were moving into the shipyards and into the aircraft factories in great numbers. As a matter of fact, they were a godsend to the rapid industrialization of the economy of California, yet they had been thought of when they first came in as pariahs and so forth and so forth. But they turned out to be the answer to a very critical problem.

But when the Okies left the rural areas and the Japanese were removed, and you had a booming economy or an economy that was starting to boom because of the war, then you had to have, or so the growers thought, you had to have auxiliary sources of farm labor and that is when they began to import some labor under this so-called bracero program.

However, I would say just as a postscript to that that I doubt that the removal of the Japanese in and of itself would have created an extraordinary crisis about farm labor because most of the Japanese were small growers themselves. They weren't migratory farm workers.

XI THE STEINBECK COMMITTEE

McWilliams: About the Steinbeck Committee, this was a committee set up in Southern California really to sort of bring public attention to bear on some of the problems of migratory farm labor, to sort of dramatize some of the deplorable conditions that existed. Helen Gahagan Douglas and her husband were both active in the committee. I helped set the committee up.

The committee did some very worthwhile things. It, for example, put on a very successful Christmas party for the children of migratory farm workers near Bakersfield, California, and some of the people came up from Hollywood and entertained the youngsters. It was a very moving, very impressive affair with thousands of kids and they had a marvelous time. The committee also provided relief and assistance, that sort of thing, emergency assistance for stranded farm workers.

The committee did, I think, a very effective piece of work. I would say one of the most effective things it did was that it got Mrs. Douglas and her husband very much interested in social problems in California and I think it was largely responsible for Mrs. Douglas's emergence as a political figure in the state of California. I doubt if she would have run for Congress in the first instance if it hadn't been for the publicity and her involvement in her work in the Steinbeck Committee. So I think one of the major things the committee did, although this was not one of its stated purposes, was to be responsible indirectly for Mrs. Douglas's being elected to the Congress of the United States.

The Steinbeck Committee was not in existence for very long, just for a few years, and it was largely confined to activities of the sort that I have indicated. It could

McWilliams: not really do much in terms of helping in the organization of farm workers because not very much was being done at this precise time. This was all before Cesar Chavez and all before the big DiGiorgio strike of the 1950s, and it was largely a philanthropical--oh, that is hardly the word--an aid and assistance program to focus attention on the problems of farm workers and try to be of a little assistance to them. In terms of publicity and that sort of thing, I think it was quite effective.

Recently I had occasion to read a book by Walter Stein published by Greenwood Press and it was about migrant workers in California in the period 1938 to, say, 1945 and it goes over very much the same ground that I have gone over in this interview. It is very well documented and with minor differences of emphasis and that sort of thing, I would say that based on my recollection, it is quite accurate. It is very carefully documented and I think a fair account of a lot of this agitation about migrant workers and Okies and Arkies and what the relief problems were and how insoluble they were or how difficult they were. I think that study is probably the best thing that has been done that I have seen.

XII PROBLEMS IN THE DEMOCRATIC ADMINISTRATION

McWilliams: Another thing that has to be kept in mind is that we had no Democratic party in California for many, many years. The Democratic party that existed was controlled by a handful of professional politicians who didn't want really to make it a majority party, who were very satisfied with the recognition and the patronage that they would get from Washington if a Democrat was in the White House, or even if the Republican was in the White House they would always be able to control, being a minority party, patronage in the state of California. They were quite satisfied to have this kind of arrangement.

This arrangement was violently upset in 1934 when Upton Sinclair ran for governor. He came out of nowhere, so to speak, and built his own organization and polled 800,000 votes for governor of the state of California. He made a shambles of what there was in the way of Democratic party organization.

Olson had come to California, of course, from the state of Utah. He had been a state senator in Utah. He came to Los Angeles. He got interested in the EPIC [End Poverty in California] movement. He was elected to the state senate from Los Angeles County. He served a term in the state senate. He was more or less the beneficiary of the enthusiasm and the interest that Sinclair had aroused four years before in 1934. But Olson was always a kind of stranger to the state. He really didn't understand the state too well.

He didn't have an organized Democratic party behind him. He was opposed by the conservative Democrats and what he had behind him were various elements: for a time organized labor and the kind of grassroots organization that Sinclair had brought into being, and for a time the pension movements,

McWilliams: the organized pension movements which were very powerful. But eventually Olson began to have trouble with those pension movements because they began to be a real trial and a tribulation to him. So he didn't have a strong party organization behind him and he was elected under odd circumstances in the sense that the Republican party had become pretty thoroughly discredited and Sinclair had generated a lot of interest and expectation in his campaign so that when Olson was elected in 1938, it seemed as though at long last the New Deal had come to the state of California, but by then the New Deal was all over.

Those of us who were in the Olson administration didn't realize at the time that it was. We were cast in a rather anti-climactic role. I mean, we were supposed to bring the New Deal to California, but the New Deal was no more. The defense program was the thing. The war was right around the corner, and it was a sort of an interlude.

Josephson: Very interesting.

Transcribers: Jane Burnett, Mary Millman, Pat Raymond
Final Typist: Marilyn White

The Education of Earl Warren

Carey McWilliams

When Earl Warren died on July 9, on the eve of a committee vote to impeach the President, the nation's editorial writers sprang to their typewriters to offer fervent praise of the former Chief Justice for possessing in abundance precisely those qualities which Nixon so conspicuously lacked—integrity, honesty, a deep sense that public office is a public trust. The impulse was understandable, but in its eagerness to praise Warren the press largely ignored the fascinating evolution of his political career. The question, which can be discussed more appropriately now than it could at the time of his death, is this: what prompted the remarkable change in Warren's political views and values after he became Chief Justice?

Three distinct phases marked Warren's career: Deputy, then District Attorney, of Alameda County and Attorney General (1920 to 1942); Governor of California (1942 to 1953); and Chief Justice (1953 to 1969).

There was no hint of greatness in the first phase of his career. He was an honest, diligent, tough-minded law-enforcement official; nothing more. Politically he was aligned with the right wing of the Republican Party. He is said to have admired Hiram Johnson; if so, he kept his admiration under wraps, for Johnson's old enemies were his chief sponsors.

A few key issues suggest the kind of politician Warren was during phase one. As District Attorney, he was responsible for the prosecution of King, Ramsay and Connor—the so-called Ship Murder case—in 1936. Whether the case was or was not a labor frame-up is less important than the fact that the trial was a scandal. Jurors were drawn from lists submitted by large banking and industrial corporations; more to the point, the deputy in charge of the case had borrowed large sums of money from a woman who served as a juror—a fact not known to the defense at the trial. Warren probably did not know about it either at the time, but later, when the connection was made public, he still upheld the verdict. Still later, when Gov. Culbert L. Olson's Board of Prison Terms and Paroles released King, Ramsay and Connor in December 1941, Warren denounced the action as "an outrage to public decency." During the long years of investigations, hearings and agitation that finally culminated in Governor Olson's issuance of a pardon to Tom Mooney on January 7, 1939, Warren consistently opposed the pardon. Olson could not pardon Warren Billings, Mooney's co-defendant, because of a prior conviction. So Billings had to serve an additional ten months in prison after Mooney was freed because the State Advisory Pardon Board voted 3 to 2 against commutation. Warren, an ex-officio member as Attorney General, cast the deciding vote.

California has today what is acknowledged to be one of the ablest Supreme Courts of any state, but the re-making of the court was a slow process set in motion by Governor Olson. One of his fine nominees was Dr. Max Radin, long a member of the faculty of the Law School of the University of California. Of this nominee the Republican *San Francisco Chronicle* commented: "A distinguished liberal . . . [with] a high degree of judicial temperament and a passion for justice . . . [who] should be confirmed with no more of the scurrilous attack that arises from inability to distinguish between liberal faith and subversive character." But the Judicial Qualifications Commission, of which Warren was an ex-officio member, voted 2 to 1 against confirmation and Olson was forced to withdraw the nomination. The deciding vote was cast by Warren.

When the La Follette committee conducted its famous inquiry into farm labor conditions and violations of civil liberties in California in 1939, it would be charitable understatement to say that Warren, as Attorney General, was uncooperative. In those years no public official was more highly regarded by the Associated Farmers of California.

In the wake of Pearl Harbor, Warren was perhaps the most influential advocate of mass evacuation of all persons of Japanese descent, citizens and aliens alike, from the three West Coast states. More important than the position he took were the reasons he cited for taking it. His statements showed unmistakable racial bias and a remarkable misunderstanding of the social and historical background. Once the Japanese were removed, Warren, by then Governor, opposed the federal government's suggestion in 1943 that they be permitted to return. "If the Japs are released," he said, "no one will be able to tell a saboteur from any other Jap. . . . We don't want to have a second Pearl Harbor in California." Once the ban was lifted, however, he followed the strong lead of Democratic Atty. Gen. Robert W. Kenny—now a Superior Court Judge in Los Angeles—and took a firm stand for protection of their personal and property rights.

Other issues—many in fact—might be cited to establish the point that nothing in the first phase of Warren's career foreshadowed his performance as Chief Justice. Before 1942, when he was first elected Governor, Warren's image had been that of Mr. District Attorney: grim, humorless, prudish. But under the talented direction of Clem Whitaker and Leone Baxter, California's famous "campaign management" team, a different image began to emerge—that of a smiling, warm, friendly man with a charming wife and a bevy of attractive children who, for some in-

explicable reason, had been kept in the background. As Governor, Warren began to exhibit a few signs of having opted for the Hiram Johnson "progressive" stance, but it was good politics for him to pose as "independent" and "nonpartisan" because Democratic and "decline-to-state" registrations in the state well exceeded the Republican. He expressed an interest in health insurance, spoke about the need to regulate lobbyists and opposed, as ex-officio member of the Board of Regents, the loyalty oath imposed on the University of California faculty (he favored a similar oath for all state employees). The loyalty oath fight taught him something. He was unmercifully attacked by right-wing elements and he was—despite a widespread impression to the contrary—a good hater who never forgave those who opposed him. So while it can be said that Warren tilted slightly to the liberal side during phase two, there were still no signs of the transformation to come.

The late Arthur H. Samish, for years the undisputed boss of the California legislature, offers this comment on Warren as Governor in his engaging autobiography: "Warren had it easy during the war years. California was booming with war plants, military bases, and the Governor could play the hero by reducing taxes and still run a surplus." As Governor, Warren was beset by few of the searing problems that had plagued Olson or that were to plague his successor, Edmund G. ("Pat") Brown, who had to cope with the accumulated social costs of the boom years. Nor was there any hint of change in anything Warren said or did as Republican Vice Presidential nominee in 1948. Like most Republican nominees that year, he charged the Democrats with being "soft on communism," but did so in the rather mild and gentlemanly style that Dewey preferred.

Against this background, how is the extraordinary performance of Warren as Chief Justice to be explained? Without prior judicial experience, he became Chief Justice at almost the precise moment when the major issues of the postwar period began to reach the Court. And his period of initiation was brief indeed. For example, he was appointed Chief Justice on October 5, 1953, and eight months later he wrote the Court's opinion in *Brown v. Board of Education*.

Warren once said that the change from Governor to Chief Justice was a "traumatic thing" and added: "But change you must if you are to do your duty on the Supreme Court." And change he did. With politicians, perspective closely correlates with position, and Warren was, above all, the consummate politician. His entire adult life, with the exception of a few years after leaving law school, had been spent in public office. Judged by the record, Warren was a conservative Republican—he served as state chairman and national committeeman—until he became Governor. Once in Sacramento, a way station on the road to high national office, he adopted a "nonpartisan" stance and made a few cautious moves to the liberal side. This is not to imply that he was insincere, then or later, but it does suggest that he was primarily concerned with political self-preservation until he got where he wanted to be.

Once he became Chief Justice it could be said that he finally felt free of political inhibitions, but at best this provides only a partial explanation. Instead of inhibitions,

he now faced a new political challenge. The great Chief Justices, and Warren was one, have usually had a canny political sense; witness the performance of Charles Evans Hughes. Under Warren, the Court had to face an accumulation of pressing social issues, some of which had acquired a special urgency because they had been neglected during the World War II and cold-war years. He became Chief Justice at a critical moment in the history of the Court, when the outlook for civil liberties and civil rights was bleak. Vacancies on the high bench had given President Truman a chance to fashion the disastrous "Truman Court" with the appointments of Vinson, Burton, Clark and Minton. Under Warren's strong, tactful and politically astute leadership, the dangerous course of the Truman Court was reversed. With the close of the third term under Warren as Chief Justice, it had become apparent, as C. Herman Pritchett pointed out, that the Court had turned one of its historic corners.

Warren's career thus stands as a monument to the proposition that politicians have been known to grow in moral insight and social understanding to the point where they will respond, in a responsible manner, to the challenge of new issues and changing times, even if the times change faster than their personal convictions. Warren learned from experience; he had been changing even when he did not appear to change. He listened, and learned, from Democratic rivals whom he liked and respected, such as Robert W. Kenny, who, as state Senator and Attorney General (1942-46) took stands on controversial civil liberties and civil rights issues that Warren was to espouse as Chief Justice after 1953. "Pat" Brown, who became Attorney General in Warren's second term, was another Democratic politician whom the Governor liked and often consulted and from whom he learned more than he ever acknowledged.

The truth about Warren is, as Alan Barth has written, that "he grew prodigiously." It should be emphasized that he was the product of a special political subculture: nativism, California-style. Until late middle age he was active in the Native Sons of the Golden West, an organization whose members could not bring themselves to admit that a Japanese born in California was also a native son. "Anti-Orientalism," deep-seated and virulent, was one of the major components of the Native Son ideology. The other was that, as a kind of legacy from their pioneer parents and grandparents, native white Californians were entitled to preferment for public office, elective and appointive, over the latter-day immigrants, including Okies and Arkies, who were flooding into the state in quest of the good life, and bringing with them all manner of tramontane ideas that threatened turmoil in paradise. Warren outgrew this narrow outlook eventually, not by study and reading—he was too much the activist for that—but by observation and experience and a growing awareness that the new arrivals far outnumbered the native sons and daughters. Although he never publicly apologized for his role in the World War II internment of Japanese-Americans, he is said to have expressed deep regrets in his autobiography which Doubleday and Co. will publish next year. This volume should afford new insights on the political education of a most remarkable American politician who grew to greatness.

Questions for Carey McWilliams

I Labor Camps

In California, two labor camps were set up by the Farm Security Administration--one in Marysville, another in Kern county. Rexford Tugwell was impressed. None others were ever financed in California.

Did McWilliams try to have others developed in California? What were the problems in having them financed? Who in the state legislature were on his side; opposed?

II People

A. Can he comment on the members of the Commission on Immigration and Housing. How were they chosen? How did they function together? What were their special interests?

Rev. Edgar E. Wilson
J. Earl Coke
Melville Dozier, Jr.
Hubert Phillips
Dr. Omer Mills

Staff: Andreis
Brown

B. Did McWilliams work in any way with --comment on their work:

Mrs. Grace McDonald, recently retired Executive Director
Secretary of the California Farmer-Consumer Information
Committee (formerly California Farm Research and
Legislative Committee)

Congressmen Jerry Voorhis (were others in Congress in
California delegation interested in farm labor?)

Congressman Tolan; Senator Hiram Johnson

Sheridan Downey -- was he moving toward a conservative
position while McWilliams was still in his state
job?

Manchester Boddy of L.A. Daily News : Was he sympathetic to
plight of farm labor?

III The State Relief Administration

The State Relief Administration was fraught with turmoil.

What was behind the turmoil; how valid was the concern about radicals and communists in relief; to what extent was it caused by fears of rural political leaders and farmers of unions and higher wages, of loss of control in the county to the state.

Discuss Culbert Olson's role in the problems of the SRA.

What kind of person was Dewey Anderson. He was SRA director for about one year, and was seemingly forced to resign so that Olson could appoint a more practical man for the job.

Walter Chambers came next and lasted only a few months on the SRA.

Sidney Rubinow, from agriculture followed--again for only a few months, and was replaced by

Ralph Wakefield.

~~Was~~ William Plunkert, the social service director of SRA fired for being a communist (along with Rose Segure) comment.

John R. Richards, chairman of the Commission of Reemployment appointed by Olson as Director of Finance, had ideas for unemployment relief that involved self-help cooperatives, and work programs which were espoused by Olson, but never got off the ground. *Paul Taylor, whom we have interviewed was a member, Frank G. Taylor (director of Div of Relief) was on staff*

we interviewed Frank G. briefly.

Can McWilliams comment on Richards, and his successor in the position George Killion. (Robert Burke, Olson's New Deal for California calls Richard tempestuous).

IV Migrant Labor

If the Japanese had not been evacuated would they have supplied the farm labor pool large enough to have forestalled the bracero importation program that developed at the beginning of WW II. This was an argument of the farmers during the hearings in 1942 brought to California by Sheridan Downey: Special Committee to Investigate Farm Labor in the West.

V Opinions on the Steinbeck Committee dealing with migratory labor

Was he a member of the committee; who were, what did it do?

Helen Iakobson Douglas mentions it briefly in her interview.

APPENDIX C - Announcement of Carey McWilliams
lecture, "Is California Still Exceptional?
A View from a Distance," presented
April 28, 1976

BERKELEY: INSTITUTE OF GOVERNMENTAL STUDIES
109 MOSES HALL

71

April 20, 1976

Dear Colleague:

This is a reminder of the final lecture in the series
CALIFORNIA AT THE CROSSROADS. It will be on Wednesday,
April 28, 1976, at 8:00 p.m. Carey McWilliams, recently
retired editor of The Nation and prolific and insightful
writer on California, will be our guest speaker.

IS CALIFORNIA STILL EXCEPTIONAL?

A VIEW FROM A DISTANCE

by

Carey McWilliams
Retired Editor, The Nation

WEDNESDAY

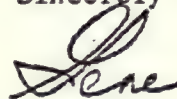
8:00 p.m.

April 28, 1976

Alumni House

I look forward to seeing you there.

Sincerely yours,



Eugene C. Lee
Director

nm

The New Chief Justice

THE new Chief Justice will take office to the accompaniment of a chorus of acclaim, and his confirmation may be assumed. Unfortunately we cannot join in this chorus, for while it is quite possible that Mr. Warren may measure up to the responsibilities of the office—in a Republican era New Dealers cannot be choosers—there are certain forgotten facts about his career which arouse our misgivings.

ITEM ONE. No one person had more to do with bringing about the removal of the West Coast Japanese during World War II—citizens and aliens alike; men, women, and children—than Mr. Warren, who was then Attorney General of California. In urging the removal of the Japanese, a measure which has been characterized as a constitutional disaster, Mr. Warren proceeded from indefensible premises. For example, he contended that the Nisei—the American-born and -educated generation—were more "dangerous" and suspect than the Issei, their Japanese-born parents. A more cynical appraisal of the effects of public-school education and of American cultural influences has seldom been voiced; he could only have had racial or biological implications in mind. Indeed, he made this quite clear when he told the Tolan committee: "We believe that when we are dealing with the *Caucasian race* we have methods that will test the loyalty of them" (p. 11015, italics added).

Pointing to the clusters of Japanese settlements near industrial plants and areas leased from private utility companies, narrow fenced strips running beneath high-tension transmission lines, he told the Tolan committee that the Japanese had selected these sites *because* they were well located for sabotage acts. As Attorney General, Mr. Warren was fully aware, since it was his responsibility to enforce the Alien Land Act, that the Japanese had been driven into the "crevices" and marginal areas to which he attached such sinister importance. It should be noted, moreover, that he was by this time—1942—a candidate for governor. But beneath this politically opportune use of a popular race-baiting theme was a clear personal bias. For example, in his first speech before the Conference of Governors in 1943 he expressed unalterable opposition to the return of the Japanese Americans to the West Coast and later warned the federal authorities that another Pearl Harbor disaster might result if the ban against their return were lifted. When the state Board of Agriculture, on the motion of Dr. Paul S. Taylor, adopted a resolution urging fair play, he promptly replaced Dr. Taylor. It may be that Governor Warren has outgrown these parochial views, but there can be no dispute that they were once his favorite themes. Not only was the removal of the Japanese a constitutional disaster, resulting

in the dangerous precedent of *Korematsu vs. United States*, in which the Supreme Court upheld the removal, but it meant that the Japanese were strong-armed out of the West Coast produce industry—their creation incidentally—at a loss of more than \$600,000,000. Nor have they ever regained their former position.

ITEM TWO. Those who want to learn something about the Governor's social philosophy should, in addition to exploring his views on the tidelands oil issue, read the brief that he filed as Attorney General in the case of *Edwards vs. California* (314 U. S. 160, decided in 1941). In this case Mr. Warren tried unsuccessfully to sustain the constitutionality of a section of the Welfare and Institutions Code which made it a misdemeanor for anyone to bring into the state of California an indigent person, knowing that person to be indigent. The case was a direct outgrowth of the nativistic agitation against Okies and Arkies and other dust-bowl migrants. Even Justice Byrnes of South Carolina, who wrote the opinion, could not accept the nonsensical sociology which Mr. Warren was spouting in this argument and brief.

The major pressure group in the decade-long agitation to keep dust-bowl migrants out of California—and to oust the Japanese—was, of course, the Associated Farmers of California. On October 21, 1939, a thousand or more Okies were holding a strike meeting in the County Park in Madera. The idea was that if the meeting was held there, in town, in full view of the authorities, it would not be broken up. Suddenly two hundred or more cars and trucks loaded with ranchers armed with rubber hoses, automobile cranks, fan belts, and baseball bats converged on the park and broke up the meeting. The scene was witnessed by: Colonel Charles Henderson of the National Guard, the local sheriff, and Captain Torres of the state highway patrol and fourteen of his officers. No effort whatever was made to protect the meeting or arrest the vigilantes. When a delegation from the American Civil Liberties Union visited Mr. Warren to ask him, as Attorney General, to prosecute the rioters, he gave them "a courteous hearing but did not commit himself." Nor was any action initiated against those who had broken up the meeting.

ITEM THREE. Governor Warren fought a bitter behind-the-scenes battle to block the pardon which Governor Culbert L. Olson granted to Tom Mooney in 1939 and as a member of the State Advisory Prison Board voted against recommending a pardon for Warren Billings. These actions were taken, it should be noted, in the last phases of the case. By then the facts were fully established, and the distinguished jurists and legal scholars who had recommended a pardon would constitute a fairly

good sample of the best legal talent in this country.

The blunt fact is that until he became governor, Warren was strongly anti-labor. Subsequently his anti-labor bias softened and he became a skilful manipulator of certain leaders in the State Federation of Labor.

ITEM FOUR. When Governor Olson named Max Radin, for years a distinguished member of the faculty of the University of California's Law School, to the state Supreme Court, the conservative San Francisco *Chronicle* acclaimed Radin as "a distinguished liberal . . . with a high degree of judicial temperament and a passion for justice," adding that he should be confirmed "with no more of the scurrilous attack that arises from inability to distinguish between liberal faith and subversive character." Mr. Warren was the spearhead of this attack. It was his vote as a member of the Qualifications Commission that blocked confirmation. Pressed for an explanation, Warren told the press that Radin had once written a letter to the city attorney of Stockton urging clemency for eighteen state relief-administration employees who had refused to answer questions before the Yorty committee (which later became the Tenney committee). During his many years in office Warren has maintained a wholly remarkable silence about the Tenney committee, easily the most inept and vicious of the various state un-American committees.

What of his attitude on the loyalty oath? As an ex officio member of the Board of Regents, Warren opposed the oath but for reasons which reflect little credit on him. It was the Governor's great friend, President Robert Gordon Sproul—he had placed Warren's name in nomination at the 1948 convention—who originally proposed the loyalty oath. Warren did not oppose its adoption. To be sure, Sproul thought that the regents might head off the Tenney committee and safeguard the university's budget by adopting such an oath; but the responsibility for the oath was his or his subordinates. Later, when the faculty revolted, he reversed his position and tried to undo the damage he had done. Warren then had no alternative but to support Sproul, which he did, not on the broad issue of academic freedom but on a narrow technical point. And Walter Gellhorn notes that when the tide which the faculty revolt had set in motion in 1949 began to recede with the outbreak of the Korean war, the Governor's enthusiasm for academic freedom ebbed with the tide. He found it quite consistent, indeed, to sign a measure imposing a loyalty oath on all state employees, including faculty members (see "The States and Subversion," by Walter Gellhorn, 1952). Incidentally, after the fight on the Regent's oath, Raymond B. Allen was appointed to head the University of California at Los Angeles. It is a fair inference that both Sproul and

Warren concurred in the appointment. As President of the University of Washington, Allen had set the post-war campus witch hunt in motion in 1948 by taking disciplinary action against certain faculty members.

WHAT the public does not understand is that the Warren who emerged after 1942 is quite unlike the earlier Warren. On its face, this might indicate that he had grown or changed, or, again, it could mean that he was impressed by the Democratic registration which outnumbered the Republican in California three to two. Whatever the reason, the transformation was indisputably the handiwork of Clem Whitaker and Leone Baxter, the well-known public relations team which managed Warren's campaign. After 1942 Warren was regularly photographed splashing around in the Pacific with his numerous brood during the annual grunion run in Southern California. He was never photographed unless he was smiling. He began to hobnob with popular "celebrities" and to show up at Toots Shor's on visits to New York. The six children, notably the three girls and particularly "Honeybear," became well known nationally; the Governor seldom traveled without them. This new Warren is clearly one of the great public-relations triumphs of Whitaker and Baxter, but they did not approve of the mild liberalism which the Governor adopted as part of his new ensemble and it was not long before they broke with him.

The problem which the new Chief Justice's fascinating career presents is this: which is the real Warren? Does he himself know which of the two faces is really his? What values would sustain him in a moment of great crisis? His three basic values would seem to be the sanctity of private property, the importance of social conformity, and a great respect for the law. Warren liked being district attorney and attorney general; he always cooperated closely with the various bar associations; and his prestige among California lawyers is high, for he has appointed many of the state's judges.

Although the new Chief Justice comes from a working-class immigrant background, his sympathies have never been with labor or the underprivileged. He has always identified his interests with the upper middle class. Contrary to popular belief, he formerly belonged to the Knowland-Cameron-Chandler right wing of the Republican Party in California; it was only after 1942 that he began to act like Hiram Johnson. He lacks intellectual distinction. His speeches, according to the *Wall Street Journal*, are lectures on good government "studded, with homilies from Abe Lincoln and Edwin Markham." He is neither a great lawyer nor a legal scholar. Nor does he have a well thought-out social philosophy. He is diligent, honest, patient; always cautious, he is a middle-of-the-roader less by temperament than by calculation.

These are not bad qualities, surely, but are they the qualities of a great Chief Justice? Has Warren really discarded the biased racial views he held as recently as 1943? Has he outgrown the immature and parochial philosophy he expounded so clumsily in *Edwards vs. California*? His reputation as an economic "liberal" stems almost entirely from his advocacy of a compulsory health-insurance plan which a leading California historian has pointed out never had any likelihood of enactment, given the composition of the legislature. Not one major social reform was enacted in California during his three terms as Governor.

If one had to describe Warren in a sentence it would be that he is, and throughout his entire career has been, an expert professional politician, just this and nothing more. And the qualities that make a man an expert professional politician are not those most needed in a Chief Justice. Moreover, those who know the Governor will find it difficult to discard the belief that he will remain the professional politician on the court. Will he, like his predecessor, attempt to use the Chief Justiceship as a stepping-stone to the Presidency, on which he has had his eye since 1936? Reports persist of the President's ill health, and the Republicans might find it difficult to accept Richard Nixon as their leader. In such an emergency might not the genial Chief Justice be able to achieve his ultimate ambition?

INDEX - Carey McWilliams

- Adams, R. L., 10
- agriculture, in California
 - farmers' organizations, 3, 8, 12-13, 19-21, 34
 - see also labor, farm and migrant
- Alien Registration Act, 24
- Allen, Sam H., 40-41
- Anderson, Dewey, 9, 17, 58
- Andreis, Frank, 54-55
- Asian Americans, in California, 19. See also Japanese-Americans
- Associated Farmers of California, 3, 8, 12-13, 20, 34
- Athearn, Leigh, 10-11, 54

- Ballou, Walter, 17-18
- Boddy, Manchester, 57
- Bridges, Harry, 41
- Brown, Ed, 54-55
- Brown v. Board of Education, 46
- Brownell, Robert, 57

- California Conference on Social Work, 16, 59-60
- California State Federation of Labor, 19, 42
- Carrasco, Herbert, 10-11
- Central Labor Council, San Francisco, 41
- Chambers, Walter, 18, 58-59
- communism issue, in California, 14-17, 61
- Communist party, 27
- Cook, J. Earl, 54
- Cowell, Henry, 38

- defense industry in California, 34-35, 62
- Department of Industrial Relations, 20
- Deutsch, Monroe, 27-28
- Dills, Ralph C., 40-41
- Dimock, Marshall, 24
- Division of Immigration and Housing, California, 1-13, 15, 20, 24, 35, 36, 53-57
- Douglas, Helen Gahagan, 63-64
- Downey, Sheridan, 57
- Dozier, Melvin, 54
- dust bowl migrants, 32, 34. See also labor, farm and migrant

Edwards v. California, 34
 Erdman, Mrs. H. E., 10-11, 54

Factories in the Field, 4, 8
 Farm Bureau, California, 10-11
 Farm Security Administration [FSA], 3, 25-26, 34, 53-54
 Fowles, Henry, 6

Garrison, Walter, 13
 Gibson, Phil, 15
 Goldblatt, Lou, 27
 Grange, the California, 10-11
The Grapes of Wrath, 4-8

Hosmer, Helen, 3

Japanese-American relocation, 27-32, 62
 Johnson, Hiram, 29, 57
 and migrant problem, 1-2

Kenny, Robert, 39, 48-50
 Kidwell, George, 20-21, 24, 36-37, 41-43
 Killion, George, 61
 Knowland, William, 46-47

labor, organized, 16, 18, 20, 27, 29, 41-42, 54
 California State Federation of Labor, 19, 42
 collective bargaining, 12-14
 Central Labor Council, San Francisco, 41
 Democratic Central Labor Committee, 18
 ILWU, 27
 Musicians' Union, 16
 Non-Partisan League of California, 36, 40
 Westwood Lumber strike, 51
 Labor Camp Act, 22-23
 labor camps, California, 22-24, 53-54
 La Follette Committee, 3-8, 15, 23, 28
 Lamb, Robert, 6, 28, 30, 57
 legislature, migrant and farm labor problems, 21-24
 lobbying, legislative, 51
Los Angeles Times, 51
 Lubin, Simon J., 1-3, 22, 43
 Lubin, Simon J., Society, 1-5

MacDonald, Grace, 56
 Madera County, 8-9
 McClatchy newspapers, 21
 McGucken, Archbishop Joseph, 50-51
 Merriam, Frank, 23
 Mexican-American community, zoot suit riots, 49-51
 Mexican farm laborers in California, 24, 32. See also labor
 migrant and farm labor. See labor
 Mills, Omer, 26, 54
 Mooney, Tom, 43
 Myer, Dillon, 31

Native Sons of the Golden West, 29
 New Deal, in California, 1-5, 33, 37, 53
 New Republic, 39-40
 newspapers, political influence of, 21, 51
 Non-Partisan League of California, 36, 40

O'Dwyer, Monsignor Thomas, 18
 old-age pension movement, 66
 Olson, Culbert,
 election, 3
 as governor, 33-43, 49, 65
 migrant and farm labor issue, 7-10, 15, 20

Parker, Carleton, 2
 Parker, William B., 11n
 patronage, political, 18, 58
 Patterson, Ellis, 1940 slate, 39-41
 Phillips, Herbert, 54
 Plunkert, William, 17, 61

Radin, Max, 45-46
 Republican party, and Earl Warren, 33, 46-47
 Richards, John R., 60
 Richardson, Friend, 28
 Richie, Paul A., 40-41
 Rubinow, Sidney, 18

San Francisco Central Labor Council, 41
San Francisco News, 3
 Segure, Rose, 15, 17, 61
 Sehlmeier, George, 10-11
 shipboard murder case, 43-45
 Sinclair, Upton, 1934 campaign, 57, 65

social work profession, 16-18, 59-61

Soule, Fred, 26

State Relief Administration, 9-10, 12, 15-18, 37-38, 58-61

Steinbeck, John, 3

Steinbeck Committee, 63-64

Stone, Lee Alexander, 8

Stroebe, Hank, 13

Taylor, Paul, 4

Tenney, Jack, 14-16

Tenney Committee [State Un-American Activities Committee], 15

Tolan Committee [Select Committee Investigating National Defense Migration],
28-29, 56-57

Voorhis, Jerry, 56

Wakefield, Ralph, 18

War Relocation Authority, 31

Ward, E. E., 40-41

Westwood Lumber strike, 51

Wheatland hop-pickers riot, 2

Whitaker and Baxter Agency, 44-45

Wilson, Edgar E., 54

Wiser, Ray B., 11n

Yorty, Samuel, 14-15

zoot suit riots, 49-51

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 Regional Oral History Office

Earl Warren Oral History Project

Edward H. Siems, P.G.M.
Grand Secretary

RECOLLECTIONS OF MASONIC BROTHER EARL WARREN

An Interview Conducted by
Caroline Gallacci



*Photo by Gabriel Moulin,
San Francisco*

Edward H. Siems

TABLE OF CONTENTS - Edward H. Siems

INTERVIEW HISTORY	i
EDWARD H. SIEMS, PLYMOUTH LODGE NO. 560	1
EARL WARREN AS GRAND MASTER - 1935	3
THE GOALS OF MASONRY	16
EZRA DECOTO AND JOSEPH R. KNOWLAND, MASONS	19
EARL WARREN'S MEMBERSHIP IN SCOTTISH RITE AND THE SHRINE	24
COLUMBIA HISTORIC STATE PARK	29
APPENDIX I - "Master's Message, In Memoriam, M. W., Earl Warren, P. G. M.," from <u>Northern California Research Lodge Quarterly Journal</u> , Vol. 19, No. 3, San Francisco, September 1974	30a
APPENDIX II - "Grand Master and the Chief Justice," from <u>California Freemason</u> , Summer 1970	31
APPENDIX III - "Warren Retires from Supreme Court," from <u>California Freemason</u> , Winter 1970	32
APPENDIX IV - Notes from Buillard Interview	33
APPENDIX V - Earl Warren, Sequoia Lodge Chronology	34
INDEX	35

Interview History

Edward H. Siems, Grand Secretary of the Grand Lodge F.&A.M. of California, was interviewed to record his recollections of Earl Warren as a member and officer of the Grand Lodge of California.

The interview was held on August 26, 1970, in Mr. Siems' office in the Grand Lodge, 1111 California Street, San Francisco. Caroline Gallacci, an archival trainee in the Regional Oral History Office who was familiar with Masonry through her family and her own membership in the Rainbow Girls, conducted the interview. Miss Gallacci had previously queried William Broulliard, Membership Department to the Grand Lodge of California, to find out the dates and responsibilities of Earl Warren's record as a Mason, member of Scottish Rite, and the Shrine. From Mr. Broulliard she learned that the Chief Justice always attends the East-West Shrine Game.

The interview was sent to Mr. Siems in February, 1973, for his review. At that time he had just returned from a trip to Washington, D.C., which included dinner with the retired Chief Justice. Mr. Siems reviewed the transcript carefully, corrected the punctuation to follow appropriate Masonic style, as requested by the Regional Oral History Office, and returned the manuscript final typed by his own secretary.

Willa K. Baum
Department Head

EDWARD HENRY SIEMS

Born, December 7, 1903, Buena Park, California.

Educated - Centralia Grammar School, Orange County, California.
 Anaheim Union High School, Orange County, California.
 University of Southern California (1 year).

Graduated University of California at Berkeley, 1927.

Married - Pauline Baker, April 27, 1933 at Berkeley, California.

One Son - Fred A. Siems, born October 28, 1936.

Two grandchildren (boy, girl)

Raised - Buena Park Lodge No. 357, February 14, 1929.

Demitted to Plymouth Lodge No. 560, 1933.

Master, Plymouth Lodge No. 560, 1941.

President, East Bay Masters & Wardens' Association, 1942.

Inspector, 34th Masonic District, 1943 to 1946.

Member and Vice-President, Directors of Masonic Clubhouse at Berkeley,
 1941 to 1946.

Trustee, Masonic Homes of California, 1946 to 1948.

Member, Special Committee on Application Forms, 1948.

Member, Finance Committee, 1951 to 1953, Chairman 1954.

Chairman, Memorial Temple Building Committee 1951 to 1955.

President, California Masonic Memorial Temple, 1956 to 1960.

Member, Investment Committee, 1955 to 1960.

Grand Treasurer 1955 to 1960.

Elected Senior Grand Warden, October 1946.

Elected Deputy Grand Master, October 1947.

Elected Grand Master, October 1948.

Elected Grand Secretary, October 1960.

Elected President, Conference of Grand Secretaries of North America,
 February 1973.

33° Oakland Bodies, A. & A. S. R.

Member, Grand Secretary's Association of North America.

Member, Artus, College of Commerce Honorary Scholarship Fraternity,
 University of California.

Member, Oakland Rotary Club, 1947 to 1960.

Member, San Francisco Rotary Club, 1960 to Date, Director 1965-66,
 Treasurer 1966.

Member, Oakland Knights of the Round Table.

Member, Oakland Junior Chamber of Commerce (Past Director).

Member, Senior Chamber of Commerce, Oakland and Berkeley.

Member, United States Chamber of Commerce.

Member, Pacific Railway Club.

Member, Athens Athletic Club (Director and Past President).

Member, Commonwealth Club of San Francisco.

Alumni Council, University of California, 1958 to 1959.

Elder, Calvary Presbyterian Church, San Francisco.

Member, Bohemian Club

Secretary-Treasurer, Key System Transit Lines, 1937 to 1960.

Vice-President, Key System Transit Lines, 1952 to 1960.

Director, Key System and affiliated Companies, 1935 to 1960.

Edward H. Siems, Interview

August 25, 1970

Edward H. Siems, Plymouth Lodge No.560

Caroline Gallacci, Interviewer

GG: Would you please start, first, by repeating what you told me about your background, and how you met Earl Warren?

EHS: I was born in Southern California, raised there on a farm , went to the University of California in 1924 and graduated in 1927, went back to Southern California for approximately three years in the investment business, then was offered a position with the Key System Transit Lines in Oakland, California, in January, 1931. Within about two years -- more or less I became acquainted with Earl Warren while he was district attorney for Alameda County.

CG: And you met him through civic ...

EHS: Civic enterprises, yes.

CG: It wasn't, say, through the Republican Party or anywhere like this?

EHS: No.

CG: What Lodge were you a member of?

EHS: I was made a Mason in Buena Park Lodge No.357, and when I came to Oakland, I transferred my membership to Plymouth Lodge No.560 in Oakland.

CG: So you were not in the same Lodge as Earl Warren?

EHS: No, I was not. Earl Warren is a member of Sequoia Lodge No. 349 in Oakland. He was raised in 1919; by that I mean he was made a Mason at that time. He was Master in 1928.

CG: During this time when you first met Earl Warren, how much contact did you have with him through the Masons?

EHS: Not very much, because he was in a different Lodge and a very busy man. I came to Oakland not knowing too many people. I got acquainted in the Lodge that I joined, because there ^{were} quite a number of Key System employees there; it was natural for me to go there. In fact one of my bosses was a member of Plymouth Lodge.

CG: Do you know exactly, during this period, how active the

CG: Masons were - either your Lodge or Earl Warren's Lodge in community activities?

EHS: I might explain that Masonic Lodges as such do not get involved in civic activities to where we take a position. Our philosophy is that we encourage every member to be a good citizen, to participate in his civic responsibilities, but to do it as an individual, but ^{not} as a Lodge. As a matter of fact, it is interesting to note that we do not permit the discussion of religion or politics in any Masonic Lodge. Outside of the Lodge, as individuals, we may discuss these matters a great deal, but, as members we never do so within the Lodge room.

Earl Warren as Grand Master, 1935 -1936

CG: Let's see now, Earl Warren became Grand Master in 1935 and he served during 1936.

EHS: That's right.

CG: I take it that your friendship was continued during this period or you had contact with him.

EHS: My contact was not too active at that time. I was one of a great number of his acquaintances at that time -- just another Mason. He was the Grand Master, we respected him, and I saw him at different times, but I couldn't honestly say that our relationship was on a first-name basis, in any sense of the word.

CG: Did you keep track of what he did as Grand Master, pay any attention to his activities?

EHS: Oh, yes, because Earl Warren was, in the City of Oakland and Alameda County, you might say, a top-drawer individual. He was one of the people we all looked up to.

CG: Even that early?

EHS: Oh yes. I don't know whether you want this in there, but as a sidelight, they had a little scandal over in City Hall and Earl was responsible as District Attorney for making a diligent effort to protect the citizens of the community. One such encounter developed into quite a scandal. (Laughs shortly)

CG: What scandal is this?

EHS: I don't know enough about the detail. I think it had to do with street pavings, etc.

CG: Oh! Yes, the paving scandal.

EHS: Yes, that's right.

CG: OK, well, what do you remember particularly about his activities as Grand Master?

EHS: Earl Warren was a kindly Grand Master. He did not seek the position. No Grand Master ever does so. Curiously enough, he tells me this with a great deal of pride and interest. He was the most surprised man in the world when they asked him to go into the Grand Lodge Line to ultimately become Grand Master.

CG: Did he say why? Why he was surprised?

EHS: Yes, because he had never given it a thought. He was raising his family, he was active in business - in his law profession as District Attorney - and he just hadn't even given it a thought. He served his Lodge as Master.

EHS: He had served on some of our committees of Grand Lodge, but just hadn't thought about becoming Grand Master - nobody ever does. When I was picked to become a Grand Master, Well! I was speechless! This is what happens.

CG: This is interesting because there is a particular question I have to ask in relation to this. That is, in one of the interviews that I was reading a few weeks back, this particular individual made the statement that Warren moved up the chairs of the Grand Lodge out of order, in order to enhance his political career.

EHS: Whoever made this statement, and I don't care who did it, I can say without reservation that it is not a statement of fact. Earl Warren served on a number of our committees in Grand Lodge. As early as 1928, when he was Master of his own Lodge, he was on our "Bylaws Committee". In 1929 he was on our Credentials Committee. When we meet in our Annual Communication, the Committee makes certain that the people who are registered are entitled to be present. He

EHS: was on our Grievances Committee; this is the Committee that reviews any Masonic trials we may have. If someone violates a Masonic Law we can expel them or suspend them, or we can reprimand them under our law. In other words, we govern ourselves.

In 1933 he was active on our Endowment Program, which goes to help our charity. That year he was elected to the Grand Lodge Line. He tells a story that he was not even in the Grand Lodge meeting because Nina, his wife, was in the hospital expecting a baby. They have six children. When he was called to the telephone at the hospital, he learned for the first time that his name had been proposed for Senior Grand Warden. (They called him out of the delivery room. In those days you could stay in the delivery room.) Earl Warren was asked if he would be willing to serve in the Grand Lodge Line.

Now, if he had been seeking the office, he'd have been over here working. (laughing)

CG: OK. . Back to his activities as Grand Master. Exactly what are some of the things that he did do?

EHS: Well, I've got an interesting story to tell on that subject because of another personal friend by the name of Joseph Rosborough, who is a former Postmaster of Oakland, and later was an executive officer on the Bay Bridge.

Joe Rosborough was a very active Knights of Columbus. He was the Grand Knight, I believe they called him, which was the top man of the state organization, at the same time that Earl Warren was the Grand Master of Masons in California.

Joe used to tell me that when he and Earl Warren were making official visits around the state, they would end up in the same city, at the same time, staying in the same hotel.

(Laughing) In those days we had no prejudice as far as other organizations were concerned, but Joe couldn't even discuss their problems unofficially with Earl because of his limitations through the Church. Even so, they were very close friends, until Joe's death some years ago, and they had some wonderful meetings individually. I am sure they compared

EHS: notes, which is a rather interesting sidelight.

After I was called about this possible interview, I looked through Earl Warren's Annual Message as Grand Master. This is the record of his year which is in the form of a report to Grand Lodge. The annual printed proceedings list all of the committees and their activities as well as all official Grand Lodge activities. These are all of the Proceedings of the Grand Lodge of California since its beginning in 1850.

CG: Yes, I found one over in the Holmes Bookstore in Oakland. This was when I first became interested in Warren as a Mason, and I was rummaging through them and I can't remember what year but there is some mention of him being a Warden.

EHS: Yes, that was 1933. One of the things that I noticed in reviewing that record was that Earl, from the very beginning, was always thinking of the man that we might term "the underdog".

Earl's father was a railroad man. I don't believe he had a supervisory job in railroading. It is possible that

EHS: he was a maintenance man of some sort. So, Earl came up the real hard way. He had to work his way through school. I am sure that is a correct statement. Now, with respect to Earl as a Mason, just a couple of thoughts. When he came to the Annual Communication of the Grand Lodge, the record shows that he had invited a couple of the oldest Masons in the state to be present, just to introduce them. They were a couple of men that were not especially well-known, and I can't remember where they came from, but I remember very distinctly they were well into their nineties. He had them present at the Communication to introduce them. They'd been Masons many years -- one had been a Mason for almost seventy-five years. Another thing that impressed me was Earl Warren was most reluctant to accept what you might call a public speaking engagement at a Masonic meeting. He never accepted such an invitation at any time when he was in a political campaign, because he never wanted to be accused of using his Masonry for political purposes. I am very certain of this.

CG: He would never speak at a public meeting held by Masons?

EHS: No, nor would he mention that he was a Mason. Now, a lot of people knew that he was a member, but he never used that as a political crutch. He avoided it, if anything. When Earl was Grand Master we had about 580 Lodges, now we have 704. At that time we were about 128,000 Masons, members of California Lodges; now we have about 238,000 - almost double the 1935 membership. He could not visit all of the Lodges, but he visited many of the small country Lodges where a Grand Master did not normally go. When you think back, in 1935 we didn't have the modern high-powered automobiles and freeways that we have today. You didn't have plane flights to the small airports that you have today. Travel was difficult and the fact that he would make the effort, while holding public office, to visit out-of-the-way Lodges shows his dedication to and the high regard he had for the Fraternity.

Earl told me within the past year, that, so far as he was concerned, the one thing which has been a guiding light for him, in all his public offices, were the teachings of the Masonic Order.

(Interruption)

EHS: I think another significant aspect of Earl Warren's year as Grand Master in 1935 (you are not old enough to remember this) was that we were in the depths of the Depression. This had real significance because, like all other organizations, particularly fraternal, there were few new members. Many of the older ones died. Some had financial reverses. Others had too much pride to ask to have their dues remitted and they were suspended from membership. Our total membership leveled off. During the Depression I think the number of members was substantially reduced. Since that time we have not only picked up that slack, but our membership has almost doubled over what we had then.

I've thought about a couple of instances during his year as Grand Master that were rather amusing. Earl went up to Tule Lake, Siskiyou County, to constitute a new Lodge called Canby Cross Lodge. At that time it was the responsibility of the Grand Secretary to send all of the paraphernalia that we use for ceremonies up there so that when the Grand Master

EHS: arrived everything would be in ship-shape form. Tule Lake is near the Oregon border and there was a big snowstorm going on over the mountains. The equipment never arrived, including what is known as our Book of Ceremonies. In the ceremony of dedicating a Lodge hall or constituting a Lodge we use, symbolically, corn, wine and oil in little earthenware or silver vessels. There were no vessels, no corn, no wine and no oil up there, according to the record. The historical record shows that someone found corn in one of the general stores. They were able to obtain some crank-case oil for the ceremony, but no wine could be found because it was Prohibition Time. So, symbolically, Coca-Cola was used (Laughing). You know the color of Cola.

But, on top of that, they had no Book of Ceremonies. There was snow on the mountains between Tule Lake and the nearest Lodge, which was ninety miles away. Grand Master Earl Warren dispatched one of the members of the Canby Cross Lodge across the Oregon border where he picked up an Oregon Book of Ceremonies, and Canby Cross Lodge was

constituted using the Oregon ceremony.

CG: Oh! Then ceremonies aren't necessarily the same then?

EHS: No, basically the same with minor differences, but it makes an interesting story, particularly if you happen to know anything about Masonry.

I think that one of the outstanding features of Earl Warren's Masonic career as a Grand Master was not only his devotion to Masonry and the individual Mason, but the fact that he was always willing to help anyone, and he seemed to seek out the one that needed help. I think this desire to help the "underdog" was the motivating influence in scheduling visitations in the areas where Grand Masters didn't often go. I know from my own personal experience, it is in the small country Lodges that you see Masonry really at work, because it has greater meaning than in the metropolitan areas.

Earl Warren made a statement about Masonry in his annual message. He said that it was in a healthy condition despite all the economically depressed areas and the fact that, due to the depression, membership was falling off, the Fraternity itself remained healthy. He wrote in his report, and I

EHS: copied that:

"It gives me more confidence in the integrity of human nature. It leaves me with greater assurance for the future of Masonry, our state and our nation." I think this tells a lot about the character of the man.

CG: So, this statement was made while he was Grand Master?

EHS: While he was Grand Master. I copied that from his annual report.

CG: Do you know how much time he spent traveling around to the different Lodges?

EHS: I really wouldn't know but his travel was more difficult then than it is today.

CG: Was his main activity then, as Grand Master, to give encouragement to the different Lodges or were there other activities also? The Grand Lodge, composed of the individual Lodges, meets once a year for the Annual Communication to conduct our business. In between Communications, the Grand Master is the Grand Lodge, and what he says is law. Of course, he

EHS: is called upon to make decisions; he is called upon to administer the affairs of the Fraternity. It is indeed a big business operation. The Grand Lodge of California includes the State of Hawaii. It is statewide. So, when you say did he devote time to it? Yes, you don't take that kind of a job without devoting a lot of time to it.

The Goals of Masonry

CG: For this record, and because a lot of our friends may not be very familiar with Masons, could you state (this is sort of moving off the track a little bit) what the goals of Masons are? Or the Fraternity? (Humorously) in twenty-five words or less.

EHS: If you were to ask five thousand top leaders in Masonry throughout the world for a definition of Masonry, you might receive five thousand answers. For my part, Freemasonry is a way of life, a philosophy of living based upon Brotherly love, Relief and Trust among all mankind - it is the Golden Rule, the Ten Commandments, "To do unto others as you would have them do unto you." We are not a reform society, but our

EHS: whole goal, purpose in life, is to take as good a man as possible and work to make him an even better man. To work to strengthen the character of the individual, to help him become a better citizen, a better husband and a better father. This is our goal in the Fraternity. We're non-political and non-sectarian. Masonry is unusual in that we are not allowed to solicit membership. If a non-Mason asks a Mason about the Fraternity, the Mason is privileged to so advise the non-Mason, but he cannot actually ask the non-Mason to join. This must come from the man of his own free will and accord. If acceptable to the Lodge, and if it is determined that he is well-qualified and worthy, the man is made a Mason. I would like to feel that every Mason is a better man because he has received the Degrees of Masonry.

CG: Do you have any idea what Warren considers the basic goals of Masonry, or would you say that it is pretty similar to what you said?

EHS: I would say it is similar, yes. Since he resigned as Chief Justice of the United States Supreme Court, he told me that

EHS: the teachings in Masonry have been an influence in his life, throughout his whole legal career. I usually see Earl Warren in Washington every February. We have dinner together when I go there to the Masonic Conferences, and he seems to be hungry to find out what is going on in Masonry in California.

He happens to be in California now. He called me up just last week to say, "Ed, I'm coming over to have lunch with you, or just to sit down and talk for a little while." So, I know he has maintained his interest all these years.

Incidentally, in January of this year, our current Grand Master and I presented Earl Warren with a Fifty Year Button. He's been in the Masons for over fifty years.

CG: That's right. Did he ever tell you why he joined the Masons in the first place?

EHS: No, and I've never asked. I think I know why he did, because he probably joined for the same reason that I joined.

I was a kid, born on a farm, lived on a farm. We had a groceryman, who delivered groceries in those days. This

EHS: goes back to about the beginning of the first World War, 1914, while I was in grammar school. Next to my father, this fellow was an ideal to me. I never heard that he had wronged anyone. I asked Dad one time, "What do you know about this Man?" He answered me by saying, "Well, he's a Mason." And this impressed me.

Then I checked a little further, and I found out that the owner of the grocery store was a Mason, and he had an active part when I joined the little Lodge in Buena Park.

The reason why most men join is because of the favorable impression that they have received of the Fraternity through a friend, or family, or otherwise.

Ezra Decoto and Joseph R. Knowland, Masons

CG: This is interesting because Ezra Decoto was a Mason.

EHS: He was a great friend of Earl Warren's.

CG: Right, and Joseph Knowland was also a member.

EHS: And a great friend. Joseph Knowland, incidentally, was my Grand Orator when I was Grand Master in 1948.

CG: Oh! These were two people that I was going to ask you about eventually, because I ran across this whole thing by accident when I was reading of the 75th Anniversary of the Scottish Rite in Oakland...

EHS: Oh, yes.

CG: And, also the Fiftieth Anniversary of the Sequoia Lodge, and running across all these names. So, while we are on the subject, do you know much about either Ezra Decoto or Joseph Knowland?

EHS: Yes. I know more about Joe Knowland than I did about Ezra Decoto. Ezra Decoto, when I knew him was just ready to retire from the District Attorney's Office. I believe Ezra was on the Railroad Commission at one time for the State of California - which is now the Public Utilities Commission. A great story-teller! Ezra Decoto could tell more stories than you could shake a stick at -- he was a great story-teller! A fine citizen. He is the kind of a fellow that influences men to join the Masonic Fraternity. He set a great example. He was the kind of a man we are proud of in Masonry.

I can say the same thing for J. R. Knowland. J. R. was

EHS: one of these fine gentlemen who cannot be compromised. I knew him well, knew him very well. I did a lot of business with him when I was over at Key System - not between the Tribune and myself, but on civic affairs. As a young man I used to look up to him as a man to be admired and to emulate. I have a high regard (for him). He was a Past Master of his Lodge. He was active in Grand Lodge for many years. When I became Grand Master, I was looking for someone who was really acquainted with California, and he was a great historian. Joe Knowland was on the Beaches and Park Commission. I believe that the Commission was concerned with the history of California. They were responsible for all of the historical landmarks you see on the highways. Joe Knowland, as a member of the Commission, will be remembered for his effort in placing the landmarks around the State. It was a project of his, almost a phobia. He believed that the history of California must be preserved. He believed in California.

Of course, Joe was a Congressman. His son, Bill, later

EHS: became United States Senator. I think this is what inspired Bill in becoming a public official. He travelled back and forth from Alameda, where they lived, to Washington with his father when his father was a United States Congressman.

CG: Do you know much about the relationship between Warren and Knowland?

EHS: Well, I know that they were not only close personal friends, but very close political friends. They thought alike -- not taking a program from each other --but their philosophies were pretty much the same, but aggressive, both visionary, and both for the best interests of the people of California. I know that when Joe Knowland was publisher of the Tribune, the newspaper always presented both sides of issues. He was one of the first men that I met when I came to Oakland. Til the day of his death, Joe Knowland and I were very close friends, almost like father and son because Joe was much older than I. To me, he was a man to be respected, and he had a great influence on me. When Joe Knowland spoke, you'd better listen, not because he was a tyrant or a political wheel, but

EHS: because of his complete knowledge. He would never speak until he knew what he was talking about, and when he thought a thing through, you'd better know your ground before you dared to take him on.

CG: Do you think then that these two people might have had an influence on Warren's joining the Masons in the first place? Both Decoto and Knowland?

EHS: Yes, Yes, I am sure they did, because both of them were ahead of Warren and they worked very closely together.

CG: What Lodge was Joseph Knowland in, do you know? Because it wasn't Sequoia.

EHS: He was in Alameda, Oak Grove Lodge No. 215.

CG: How about Decoto?

EHS: Ezra Decoto was a member of Live Oak Lodge No. 61, and passed away in April of 1948.

CG: Do you have any idea why Warren didn't join either of these two Lodges? Or why he chose Sequoia?

EHS: Well, the only thing I know is Sequoia Lodge was one of the Lodges that attracted a great number of employees in both

EHS: city and county government. I would think that this is probably the reason why he became a member there. It happens quite frequently.

One other interesting sidelight of Earl Warren. In 1944, while he was Governor, State Senator Jesse M. Mayo, Sr., who lived up in Bear Mountain, Calaveras County, became a Master Mason. The Degree Team conferring the Degrees on Jesse Mayo, particularly the Third Degree, was Governor Earl Warren and a group of public officials (state legislators, state senators and others in public office in Sacramento). They formed the team to honor a fellow Senator. In other words, Warren showed his interest, and ritualistically when you do that, you have to know your work. He was Master of Sequoia Lodge in 1928, and this was sixteen years later. He was still conferring Degrees upon a fellow public official.

Earl Warren's Membership in Scottish Rite and the Shrin

EHS: He was the Venerable Master of the Oakland Scottish Rite in 1945. He was Venerable Master when he was Governor of

EHS: California.

CG: While he was Governor?

EHS: Yes. I am sure this was right.

Incidentally, he was Potentate of the local Shrine - Aahmes Temple over in Oakland. I used to see Earl's name in the papers at that time. He was Potentate in 1933 and this is shortly after I came to Oakland. He was very active. This was where the name of Earl Warren first began to register on my mind.

CG: So, he was active in both. What does the Potentate position entail?

EHS: In Masonry you have what we call "Craft Masonry". That is the First, Second, and Third Degrees, and you become a Master Mason. After that you may or may not desire to join the Scottish Rite. In the Scottish Rite, you take the Degrees from the Fourth to the Thirty-Second. After you have your Scottish Rite Degrees, then you are eligible to apply for Shrine membership. The Shrine is a smaller segment of Masonry. They do a fine work, charitable work, through

EHS: their crippled children's hospitals and the Shrine burn hospitals. An excellent piece of work?

Earl Warren became a Thirty-third Degree Mason, which is honorary. He wears the same ring that I do, the Thirty-Third Degree ring. You don't apply for the Degree, and anyone who applies for the honors would be barred forever.

These are earned honors and are a complete surprise to the recipient thereof. This is in recognition of either their civic or Masonic service to the Fraternity.

CG: Is the Shrine mainly philanthropic?

EHS: I would say so, yes. I am not a Shriner, so I don't know the purposes of the Shrine too well, except that I'm sure the hospitals are the principal charity for the Shrine. They do a wonderful work there, both for crippled children and for major burns about the body.

CG: How do you think Warren's participation in the Masons and the Scottish Rite affected his career? Do you think that it helped or hindered it, or affected it in any way?

EHS: Well, politically, it had no effect because Earl wouldn't

EHS: let it. Psychologically, culturally and philosophically, from what Earl has told me and from what I have seen in the development of the man, it has had a great effect. A man doesn't go through the Masonic Degrees, if he takes it seriously, without having it affect him -- both himself and his family. This is our goal, to try to take good men and make better men out of them.

CG: Was Mrs. Warren a member of the Eastern Star, do you know?

EHS: I don't know.

CG: I asked Mr. Brouillard this too, and he didn't know either.

EHS: With six children, I would have reservations. (Laughs)

CG: Right.

EHS: She had star points all over the place herself!

CG: There is something that you brought up casually when you were talking ...

EHS: I would say perhaps that Earl was in Eastern Star, or she was because he was a member of Eastern Star, Unity Chapter. I was just looking at this slip here.

Earl is also a member of the York Rite, which you

EHS: can join after you become a Master Mason. I am not a York Rite Mason, so I can't speak very much, but I know he's also received the Red Cross of Constantine, which is one of the highest honorary degrees the York Rite confers. So, he's had it all!

CG: I guess so. You already mentioned the fact that as early as 1932 you felt that, at least in the Oakland area, Earl Warren was someone that people knew.

EHS: That's right.

CG: Did you think that he would^{go}/as far as he did? Were you surprised when he became the Chief Justice?

EHS: No, in my own way I've tried to study people. I love people, I've worked with them all my life. I am glad, in the case of Earl Warren; he was one that I looked to go all the way. There are a number of others, but they weren't sitting in the right place at the right time. Earl was, and that's the reason he's at the top. I say top. When you get to be a Supreme Court Justice, why I think you are on top.

CG: You can't beat that.

Columbia Historic State Park

CG: Can you think of any other stories or incidents that might be interesting?

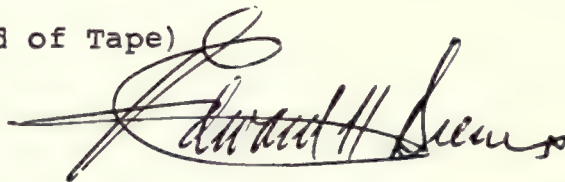
EHS: Well, I didn't know how many you would want. I've related two or three of them here.

One little sidelight. In 1949 when Joe Knowland was head of the Park Commission, they restored the City of Columbia and made it a state park. One of the early Lodge rooms or Masonic Lodges in the state had been in Columbia. But when the gold mines were exhausted, the membership of Old Columbia No. 28 dispersed and the Lodge surrendered its charter. Ultimately the building was destroyed, and all that was left in the City of Columbia was a hole with the foundations where the Old Lodge Hall was. When they restored Columbia and made it into a state park, the Masonic Fraternity spent about \$60,000 to restore the building and we now have it there as a Masonic museum for everyone to see.

CG: Do they need a curator?

EHS: (Laughing) Well, they haven't been able to afford that yet; it isn't that large. But we use it for a number of things. Among other things, we do have a lot of California history up there, especially about the early mining days and the early Masons in the area. But the day that Columbia Temple was dedicated (I'm sorry that I wasn't Grand Master, but it was the year after I was Grand Master) in December of 1949, Governor Warren, J. R. Knowland, and the whole Park Commission were up in Columbia. The Grand Lodge dedicated its building. The man who succeeded me as Grand Master was Ellsworth Meyers, whom Earl Warren later appointed as a superior court judge in Los Angeles County. He is still a judge down there and a very fine one.

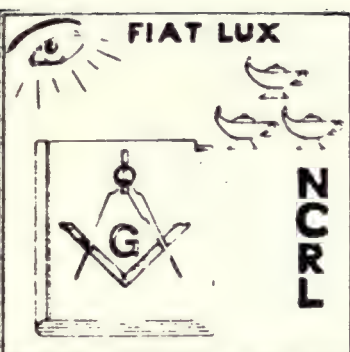
(End of Tape)

A handwritten signature in dark ink, appearing to read "Edward H. Sears". The signature is fluid and cursive, with a large initial "E" and "S".

Transcriber: Arlene Weber

Appendix I

7



NORTHERN CALIFORNIA
RESEARCH LODGE
 F. & A. M.
 QUARTERLY JOURNAL

VOL. 19
 NO. 3

SAN FRANCISCO, SEPTEMBER 1974

Subscription
 \$4.00 per annum

MASTER'S MESSAGE

IN MEMORIAM

M.W., EARL WARREN, P.G.M.
 (19 March 1891 - 9 July 1974)

Charter Member of Northern California Research Lodge,
 Past Grand Master of California F.&A.M. (1935),
 Until his death he was the oldest living Past Grand Master in
 California.

Servant of his State and Nation as:
 former District Attorney of Alameda County,
 former Attorney General of California,
 former Republican Vice-Presidential Candidate running with
 Thomas Dewey in 1948,
 former Governor of California,
 and Chief Justice of the U.S. Supreme Court (1953-1969).

As Freemasons supporting the Public School System and
 the U.S. Constitution we can take pride in the many magni-
 ficent achievements of Bro. Warren in support of these two
 fundamental institutions of our society.

Among his most significant decisions in defense of our
 civil Liberties were:

Brown vs. Board of Education of Topeka (1954) School
 Desegregation ruling.

Mapp vs. Ohio (1961) illegally obtained evidence cannot be
 admitted in any U.S. Court.

Engle vs. Vitale (1962) "It is no business of government to
 compose official prayers for any group of the American
 people to recite."

Baker vs. Carr (1962) paved the way for the 1963 and 1964
 rulings leading to the One-Man, One-Vote doctrine.

Gideon vs. Wainwright (1963) a defendant has a right to
 counsel whether or not he can afford to pay for a lawyer.

Reynolds vs. Sims (1964) One-Man One-Vote principle,
 "Legislators represent people not trees or acres."

Miranda vs. Arizona (1966) police must inform a suspect of
 his or her rights to remain silent and to have a lawyer
 present during any interrogation.

The American Civil Liberties Union last year established
 the Earl Warren Civil Liberties Award and was honored by
 his attendance at the Annual Bill of Rights Celebration to
 receive the first casting of the award named for him. I spoke
 to him at this meeting about being our speaker at our March
 meeting and he agreed but was called away at the last
 moment by illness among his children in Los Angeles.

The decisions of which he was most proud were the One-
 Man, One-Vote decisions and his most regreted action was
 his involvement in the Japanese evacuation during World
 War II.

On Friday 21 July 1974, at High Twelve, Bay Area
 citizens conducted a memorial service for Chief Justice
 Warren in the massive hall of Grace Cathedral across the
 street from the Masonic Grand Lodge Offices in San
 Francisco.

In 1971 Warren received his 50 year pin in Sequoia
 Lodge #349 in Oakland.

He is survived by his wife Nina, six adult children
 (James, Earl Jr., Robert, Mrs. John C. Daly, Mrs. Stewart
 Brien, and Mrs. Harry Van Knight) and sixteen grand-
 children.

Appendix II

From California Freemason, Summer 1970



Oakland Tribune Photo

GRAND MASTER AND THE CHIEF JUSTICE

Sequoia Lodge No. 349 in Oakland was the scene of an outstanding ceremony when Grand Master Chester R. MacPhee presented California's oldest living Past Grand Master Earl Warren with his fifty year button. Many notables were present including Senator William F. Knowland, Senior Grand Warden Lester S. McElwain and Past Grand Master and Grand Secretary Edward H. Siems.

Appendix III
From California Freemason, Winter 1970

Warren Retires from Supreme Court

Famed Jurist Served as Grand Master in 1935

WHEN Chief Justice Earl Warren retired last June after 16 years as Chief Justice and 52 years in public service, he, paraphrasing a famous remark by Amos of Amos 'n Andy fame said, "I feel so unaxed."

President Nixon, in an unprecedented action, spoke to the high court at the swearing in of Warren's successor, Warren Earl Burger, and said of Warren: "The nation is grateful for that service." The President said of Warren what Will Rogers once said of William Howard Taft, onetime president and later chief justice: "It is great to be great; it is greater to be human." Mr. Nixon reiterated that Warren's service as chief justice was especially characterized by three things—"fairness, integrity and dignity."

The retired Chief Justice was elected in 1935 as Grand Master of Masons in California. He is the senior living Past Grand Master in the illustrious roster of former heads of the Craft in our State.

With his retirement, Brother Warren moved into a new phase of his long life of public service—world peace. His new title is chairman of the international board of overseers of the Harry S. Truman Center for the Advancement of Peace. His new job in Washington, D.C., is to help create programs that can smooth the frictions that lead to war.

M. C. Guss



EARL WARREN

DESIGN OF MASONRY

It is neither charity nor almsgiving, nor the cultivation of the social sentiment; for both of these are merely incidental to its organization; but it is the search after the truth, and that truth is the unity of God and the immortality of the soul. The various degrees of initiation represent the various stages through which the human mind passes, and the many difficulties which men, individually or collectively, must encounter in their progress from ignorance to the acquisition of this truth.

Texas Grand Lodge Magazine

Appendix IV

NOTES FROM BRUILLARD INTERVIEW (Membership Secretary to the Grand Lodge of California)

Earl Warren's record as a Mason, member of Scottish Rite and the Shrine.

Sequoia Lodge No. 349 Oakland, California

Entered Apprentice, October 11, 1919

Fellowcraft, October 16, 1919

Master Mason, November 1, 1919

Served as Master in 1928

Member of Oakland Bodies, 32 degree

Potentate Aahmes Temple, Shrine, 1933 (Oakland)

Senior Grand Warden, 1933

Deputy Grand Master, 1934

Grand Master, 1935

Invested with Knight Commander Court Honor, October 19, 1937
(Honorary degree given by the Scottish ~~R~~x Rite)

Coroneted a 33 degree Mason by the Scottish Rite at Oakland
on December 23, 1941

Other offices held but not mentioned by Mr. Bruillard

Past Wise Master, Knights Rose Croix, Oakland, 1938

Past Master, Oakland Lodge of Perfection, Scottish Rite, 1945

EARL WARREN

SEQUOIA LODGE : NO. 349 - OAKLAND

Entered Apprentice October 11, 1919
 Fellowcraft October 16, 1919
 Master Mason November 1, 1919

Served as Master in 1928
 Member Oakland Bodies - 320

Potentate Aahmes Temple, Shrine - 1933
 Senior Grand Warden 1933
 Deputy Grand Master 1934
 Grand Master 1935

Born in Los Angeles - March 19, 1891

Graduated from University of California (Berkeley) 1912

Law Degree - 1914

Entered U.S. Army 363rd - Infantry of 91st Division Sept. 7, 1917.

Honorable discharge as Lt. 12/9/18

apptd Clerk Judiciary Com. of State Assembly January 1919

" Dep. City Attorney - Oakland - October 1919

" Dep. District Attorney - Alameda County - May 1920

Elected District Attorney - Alameda County - January 1925

" President District Attorneys Assn. in California 1931-1932

Elected Governor of California - January 4, 1943

" " " January 6, 1947

" " " January 8, 1951

Invested with Knight Commander Court Honor - October 19, 1937

Coroneted 33° - December 23, 1941

Appointed Chief Justice United States Supreme Court - October 5, 1953

INDEX -- Edward H. Siems

Buena Park Lodge No. 357

California, State of
 Beaches & Parks Commission, 21
Canby Cross Lodge, 12-14
Columbia Temple, 30

Decoto, Ezra, 19-20, 23
Depression (1930s), 12

Eastern Star, 27

Grand Lodge of Free and Accepted Masons of California
 (see Masons)

Key System Transit Lines, 1-2
Knights of Columbus, 8
Knowland, Joseph R., 19-23, 29
Knowland, William, 22

Live Oak Lodge No. 6., 23

Masons, 1, passim
Mayo, Jesse M., Sr., 24
Meyers, Ellsworth, 30

Oak Grove Lodge No. 215, 23

Plymouth Lodge No. 560, 2

Rosborough, Joseph, 8

Scottish Rite, Oakland, 20, 24-25
Sequoia Lodge No. 349, 2, 20, 24
Shriners, 25

Warren, Earl, 2-15, 24-28

York Rite, 27

Willa Klug Baum

Grew up in Middle West and Southern California.

B.A., Whittier College, in American history and philosophy; teaching assistant in American history and constitution.

Newspaper reporter.

M.A., Mills College, in American history and political science; teaching fellow in humanities. Graduate work, University of California at Berkeley, 1949-1954, in American and California history; teaching assistant in American history and recent United States history.

Adult school teacher, Oakland, in English and Americanization, 1948-1967; author of teaching materials for English, and summer session instructor in English for foreign students, Speech Department, University of California, Berkeley.

Interviewer and then department head of Regional Oral History Office, The Bancroft Library, University of California at Berkeley, 1954 to present.

Active in developing the techniques of oral history through practice, participation in professional association meetings and training workshops, and writing and speaking on oral history. Author of Oral History for the Local Historical Society, an oral history manual published by the American Association for State and Local History, fourth printing, 1975. Member, Oral History Association (council member, 1967-1969; co-chairman, Colloquium, 1970); Western History Association; Conference of California Historical Societies; Society of American Archivists (committee on oral history); Society of California Archivists; International Association of Sound Archives.

Amelia R. Fry

Graduated from the University of Oklahoma, B.A. in psychology and English, M.A. in educational psychology and English, University of Illinois; additional work, University of Chicago, California State University at Hayward.

Instructor, freshman English at University of Illinois and at Hiram College. Reporter, suburban daily newspaper, 1966-67.

Interviewer, Regional Oral History Office, 1959--; conducted interview series on University history, woman suffrage, the history of conservation and forestry, public administration and politics. Director, Earl Warren Era Oral History Project, documenting governmental/political history of California 1925-1953; director, Goodwin Knight-Edmund G. Brown Era Project.

Author of articles in professional and popular journals; instructor, summer Oral History Institute, University of Vermont, 1975, 1976, and oral history workshops for Oral History Association and historical agencies; consultant to other oral history projects; oral history editor, Journal of Library History, 1969-1974; secretary, the Oral History Association, 1970-1973.

Catherine Harroun

Born, St. Joseph, Missouri.

Educated in Pasadena, California;

Carlsbad, New Mexico; Stanford University,
B.A. in English.

In San Francisco since 1930 as advertising
copywriter, Wells Fargo Bank; curator and
researcher, Wells Fargo History Room.

Newspaper and magazine writer since 1950.

Rosemary Levenson

Grew up in England; B.A. in History from
Cambridge University, 1948. Graduate work
in History and International Law at
Cambridge and Radcliffe. M.A. in Sociology
at the University of California Berkeley in
1969.

Moved to Berkeley in 1951 and worked as
free-lance editor and anthropological
photographer. Volunteer service in groups
related to the public schools, religion,
and University of California faculty wives.

Travel in Europe and the Far East. Joined
the staff of the Regional Oral History Office
in 1970.

Gabrielle Morris

B.A. in economics, Connecticut College, New London; independent study in journalism, creative writing.

Historian, U.S. Air Force in England, covering Berlin Air Lift, military agreements, personnel studies, 1951-52.

Chief of radio, TV, public relations, major New England department store; copy chief, network radio and TV station in Hartford, Connecticut; freelance theatrical publicity and historical articles, 1953-55.

Research, interviewing, editing, community planning in child guidance, mental health, school planning, civic unrest, for University of California, Berkeley Unified School District, Bay Area Social Planning Council, League of Women Voters, 1956-70.

Research, interviewing, editing on state administration, civic affairs, and industry, Regional Oral History Office, The Bancroft Library, University of California at Berkeley, 1970-present.

Miriam Feingold Stein

B.A., Swarthmore College, 1963, with major in history.
M.A., University of Wisconsin-Madison, 1966, in American history; research assistant - Civil War and Reconstruction.

Ph.D., University of Wisconsin-Madison, 1976, in American history, with minor field in criminology.

Field services and oral history for the State Historical Society of Wisconsin, 1966-1967.

Instructor: American history, women's history, and oral history at Bay Area colleges, 1970 to present.

Leader: workshops on oral history, using oral history as teaching tool, 1973 to present.

Interviewer-editor for Regional Oral History Office, 1969 to present, specializing in law enforcement and corrections, labor history, and local political history.

Ruth Teiser

Grew up in Portland, Oregon; came to the Bay Area in 1932 and has lived here ever since.

Stanford, B.A., M.A. in English, further graduate work in Western History.

Newspaper and magazine writer in San Francisco since 1943, writing on local history and economic and business life of the Bay Area.

Book reviewer for the San Francisco Chronicle since 1943.

As correspondent for national and western graphic arts magazines for more than a decade, came to know the printing community.

